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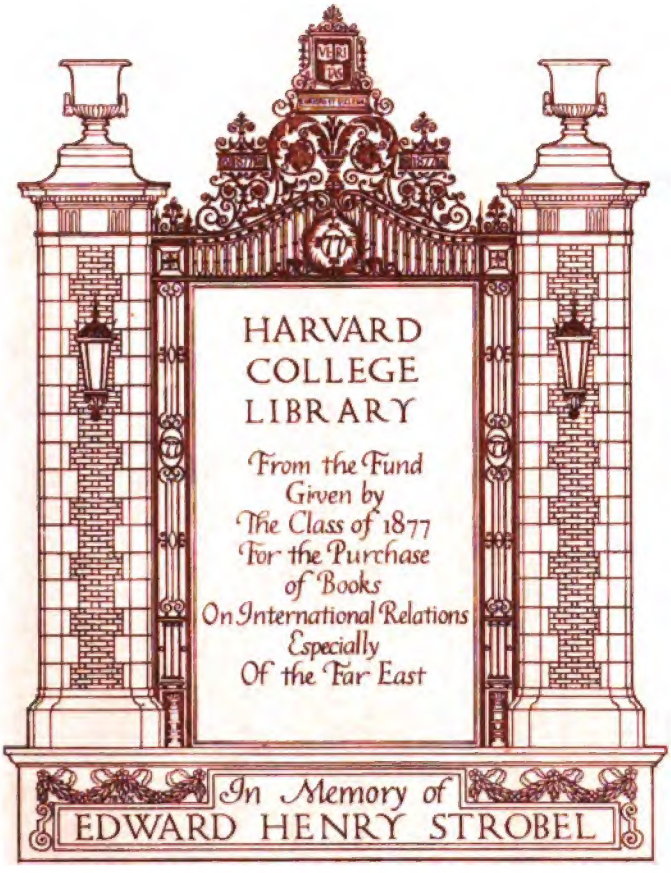


TRAITÉS ET CONVENTIONS

ENTRE

L'EMPIRE DU JAPON ET LES PUISSANCES ETRANGÈRES.

Première Partie

TRAITÉS

MINISTÈRE DES AFFAIRES ETRANGÈRES.

Japan - Treaties, etc.

TOKYO:

Z. P. MARUYA & Cie, EDITEURS.

1908.

~~Fa. 5615~~
Jpn 55.5

Ito-ke fund
(Count Ito's)
2 vols

36495.207
49.21

PREFACE.

Dix ans se sont déjà écoulés depuis que les Traités, Conventions et Arrangements signés par le Japon furent recueillis et imprimés. D'un côté, il y a beaucoup de documents à ajouter, et de l'autre, il y en a plusieurs qui ont perdu leur validité. En conséquence, le Ministère a entrepris d'imprimer un nouveau Recueil des Traités et Conventions entre le Japon et les Puissances étrangères, ainsi que des Conventions Internationales.

Les Ordonnances Impériales, Décrets et Notifications ministeriels qui ont trait à l'échange ou au dépôt de ratifications des Traités ou des Conventions Internationales, ou à leur promulgation ne sont pas insérés dans ce volume.

Ce Recueil est divisé en deux parties : la première contient tous les Traités et Arrangements entre le Japon et les pays étrangers, et la seconde est resérvée aux Conventions Internationales auxquelles le Japon a adhéré.

Les Traités et Arrangements sont classés par pays contractant, dans l'ordre alphabétique des noms des pays en langue française. Dans les deux parties, les documents sont placés dans l'ordre suivant :

1. Traités de Commerce et de Navigation, avec protocole et autres notes y relatives.
2. Conventions Consulaires.
3. Arrangements concernant les concessions étrangères.
4. Conventions concernant le remboursement de certaines dépenses faites pour secourir les navires et personnes naufragés.
5. Traités d'Extradition.
6. Conventions pour la protection des œuvres littéraires et artistiques et pour la protection de la propriété industrielle.

7. Conventions postales et télégraphiques internationales.
8. Conventions internationales des chemins de fer.
9. Conventions politiques internationales.

S'il y a plusieurs documents de la même matiere, ils sont classés d'après les dates de promulgation ou de signature. Les Traités, Conventions et Arrangements en langue chinoise et leurs traductions en langue japonaise forment un volume à part.

Dans le présent volume, les pages destinées aux traités rédigés en deux langues européennes sont verticalement divisées en deux parties distinctes. Le texte en langue du pays contractant, par exemple, le texte français dans le cas du traité belgico-japonais, est place dans la colonne gauche, et le texte anglais, c'est-à-dire celui qui est en langue du tiers pays, se trouve dans la colonne droite.

Les chiffres mis entre parenthèse et placés à la fin de tous les articles, indiquent les pages du volume où se trouvent les traductions japonaises, afin de faciliter la recherche, en cas de comparasion des deux textes europeens et japonais.

Tokio, Juillet 1908.

Ministère des Affaires Etrangères.

TABLE DES MATIERES

PREMIÈRE PARTIE

TRAITÉS.

ALLEMAGNE :

PAGE.

Traité de Commerce et de Navigation, 4 Avril 1896 (Allemand). 1

Protocole, 4 Avril 1896 (Allemand). 12

Tarif d'importation du Japon (Allemand). 15

Note du Gouvernement allemand relative à la cessation de la juridiction consulaire au Japon, 30 Mars 1896 (Allemand).... 17

Réponse du Gouvernement japonais au même sujet, 31 Mars 1896 (Allemand).... 18

Note du Gouvernement japonais relative aux droits de propriété sur un immeuble, 31 Mars 1196 (Allemand).... 19

Note du Gouvernement japonais relative au Traité de 1861, 31 Mars 1896 (Allemand). 19

Réponse du Gouvernement allemand au même sujet, 2 Avril 1896 (Allemand).... 20

Note du Gouvernement allemand relative à l'interprétation du Traité de Commerce et de Navigation, 4 Avril 1896 (Allemand). 21

Réponse du Gouvernement japonais au même sujet, 4 Avril 1896 (Allemand).... 22

Convention supplémentaire avec tarif annexé, 26 Décembre 1898 (Anglais). ... 24

Protocole concernant la Convention supplémentaire, 26 Décembre 1898 (Anglais). 31

Convention Consulaire, 4 Avril 1896 (Allemand). 32

Protocole, 4 Avril 1896 (Allemand). 45

ARGENTINE (République) :

Traité d'Amitié, de Commerce et de Navigation, 3 Février 1898 (Espagnol et Anglais).... 46

AUTRICHE-HONGRIE :

Traité de Commerce et de Navigation, 5 Décembre 1897 (Français). 56

Protocole Final, 5 Décembre 1897 (Français). 67

Convention Additionnelle, 5 Décembre 1897 (Français).... 70

Note du Gouvernement austro-hongrois relative à l'interprétation du Traité de Commerce et de Navigation, 5 Décembre 1897 (Français). 72

PAGE.

Réponse du Gouvernement japonais au même sujet, 5 Décembre 1897 (Français).... 74

Note du gouvernement japonais relative à la date de la mise en vigueur du Traité et de la Convention Additionnelle. 17 Août 1898 (Français)... 74

Réponse du Gouvernement austro-hongrois au même sujet, 17 Août 1898 (Français). 75

Note du Gouvernement japonais au même sujet, 17 Août 1898 (Français). ... 76

BELGIQUE :

Traité de Commerce et de Navigation, 22 Juin 1896 (Français et Anglais.) ... 77

Protocole, 22 Juin 1896 (Français et Anglais). 95

Note relative au commerce des armes et munitions de guerre, 22 juin 1896 (Français et Anglais). 98

Protocole concernant la juridiction consulaire, 19 Juin 1899 (Français). 99

Convention Consulaire, 22 Décembre 1896 (Français et Anglais). 100

BRÉSIL :

Traité d'Amitié, de Commerce et de Navigation, 5 Novembre 1895 (Portugais et Français). 114

CHILI :

Traité d'Amitié, de Commerce et de Navigation, 25 Septembre 1899 (Espagnol et Anglais). 124

Article additionnel, 16 Octobre 1899 (Espagnol et Anglais). 133

CHINE :

Traité de Commerce et de Navigation, 21 Juillet 1896 (Anglais). 137

Traité supplémentaire de Commerce, 8 Octobre 1903 (Anglais). 147

Annexe 1. Règlement additionnel sur la navigation fluviale, 8 Octobre 1903 (Anglais). 153

Annexe 2. Note de la Commission Japonaise relative à la navigation fluviale des steamers japonais, (Anglais). 156

Annexe 3. Note de la Commission Chinoise au même sujet (Anglais). 157

Annexe 4. Note de la Commission Japonaise relative à la nomination d'un officier pour percevoir les droits et taxes prévus à l'art. 9 du Règlement additionnel (Anglais). 158

Annexe 5. Réponse de la Commission Chinoise au même sujet (Anglais) 159

Annexe 6. Note de la Commission Chinoise relative à l'ouverture de la ville de Pekin (Anglais).... 160

Annexe 7. Réponse de la Commission Japonaise au même sujet (Anglais).... ... 162

Arrangement concernant le tarif d'importation de Chine, 29 Août 1902 Anglais). 163

PAGE.

Arrangement concernant la rectification du cours du Whangpou, 27 Septembre 1905 (Français). 200

Arrangement concernant l'établissement d'une douane à Dairen et la navigation fluviale, 30 Mai 1907 (Anglais). 204

Traité de Paix, 17 Avril 1895 (Anglais). 209

Protocole Final concernant les troubles des Boxeurs, 7 Septembre 1901 (Français). 217

ANNEXES NOS :

1. Edit Impérial du 27 Décembre 1900 (Français).... 226
2. Edit Impérial du 9 Juin 1901 concernant la mission du Prince Tsai-Feng (Français). 227
3. Lettre des Plénipotentiaires chinois du 22 Juillet 1901 relative à l'érection d'un monument du Baron von Ketteler (Français). 227
4. Edit Impérial du 13 Février 1901 concernant la punition des chefs de Boxeurs (Français). 229
5. Edit Impérial du 13 Février 1901 concernant la dégradation du Président au Ministère des Rites et d'un autre fonctionnaire (Français). 232
6. Edit Impérial du 21 Février 1901 concernant la faveur accordée au Prince Touan et au Duc Lan, etc. (Français). 232
7. Edit Impérial du 13 Février 1901 concernant la réintégration de Siu Yong-Yi et des 4 autres fonctionnaires (Français). 234
8. Edit Impérial du 19 Août 1901 concernant la suspension des examens civils et militairs (Français).... 235
9. Edit Impérial du 18 Juin 1901 concernant la mission de Na-T'ong (Français). 236
10. Liste des cimetières profanés (Français).... 236
11. Edit Impérial du 25 Août 1901 concernant l'interdiction de l'importation des engins de guerre, etc. (Français). 237
12. Lettre des Plénipotentiaires chinois du 29 Mai 1901 relative au paiement des indemnités (Français). 237
13. Tableau d'amortissement des indemnités (Français). 240
14. Plan du Quartier diplomatique et Notice (Français). 241
15. Edit Impérial du 1er Février 1901 concernant la répression des bandits (Français). 243
16. Edit Impérial du 24 Décembre 1900 concernant le maintien des amitiés avec les pays étrangers (Français). 245
17. Règlement pour l'amélioration du cours du Whangpou (Français). 246
18. Edit Impérial du 24 Juillet 1901 concernant la création du Ministère des Affaires Etrangères (Français).... 252
19. Memorandum relatif au cérémonial de la Cour (Français).... 254

PAGE.

Note Collective du 22 Décembre 1900 relative aux principaux crimes des bandits (Français). 255

Lettre du Doyen des Ministres étrangers du 7 Janvier 1901 relative à la signature d'un protocole (Français). 257

CONGO (Etat Indépendant du) :

Déclaration d'Amitié et d'Etablissement, 17 Janvier 1900 (Français). 259

DANEMARK :

Traité de Commerce et de Navigation, 19 Octobre 1895 (Anglais).... 262

Protocole, 19 Octobre 1895 (Anglais). 271

ESPAGNE :

Traité d'Amitié et des Relations Générales, 2 Janvier 1897 (Espagnol et Anglais). 276

Protocole, 2 Janvier 1897 (Espagnol et Anglais). 292

Note du Gouvernement Espagnol relative à l'importation des articles japonais en Espagne et dans ses possessions, 2 Janvier 1897 (Espagnol et Anglais). 297

Convention de Commerce spécial, 28 Mars 1900 (Espagnol et Anglais). 298

Déclaration pour la délimitation des territoires, 7 Août 1895 (Français). 304

ETATS-UNIS D'AMERIQUE :

Traité de Commerce et de Navigation, 22 Novembre 1894 (Anglais). 305

Amendement au traité susumentionné (Anglais).... 315

Protocole, 22 Novembre 1894 (Anglais). 315

Arrangement concernant le remboursement de certaines dépenses faites pour les navires naufragés, 17 Mai 1880 (Anglais). 317

Traité d'Extradition, 29 Avril 1886 (Anglais). 318

Amendements proposés par les Etats-Unis et acceptés par le Japon (Anglais).... 322

Acte de l'échange des ratifications, 27 Septembre 1886 (Anglais). 323

Supplément du Traité d'Extradition, 17 Mai 1906 (Anglais). 324

Convention pour la protection de la propriété industrielle, 13 Janvier 1897 (Anglais). 325

Convention pour la protection de la propriété littéraire, 10 Novembre 1905 (Anglais). 326

Note du Ministre des Affaires Etrangères relative à l'interprétation de l'Art. III de cette Convention, 10 Novembre 1905 (Anglais). 328

Réponse du Ministre des Etats-Unis au même sujet, 10 Novembre 1905 (Anglais). 329

Convention des Colis-postaux, 30 Juin 1904 (Anglais). 329

Convention des Mandats-poste, 23 Mai 1880 (Anglais).... 338

PAGE.

FRANCE :

Traité de Commerce et de Navigation, 4 Août 1896 (Français). 354
Protocole, 4 Août 1896 (Français). 364
Convention supplémentaire, 25 Décembre 1898 (Français). 367
Note du Ministre de France à Tokio pour l'extension du Traité à La Réunion, 23 Novembre 1899 (Français).... 373
Note du Ministre de France pour l'extension du Traité à St-Pierre et Miquelon et aux 4 autres colonies françaises, 7 Février 1900 (Français). 374
Déclaration concernant l'Inde-Chine française, 10 Juin 1907 (Français). 375
Protocole concernant la juridiction consulaire, 19 Juin 1899 (Français). 375
Arrangement concernant l'intégrité de la Chine, 10 Juin 1907 (Français). 376

GRANDE-BRETAGNE ET IRLANDE :

Traité de Commerce et de Navigation, 16 Juillet 1894 (Anglais). 378
Protocole, 16 Juillet 1894 (Anglais). 388
Note du Gouvernement anglais relative à l'adhésion des colonies au Traité, 16 Juillet 1894 (Anglais). 393
Réponse du Gouvernement japonais au même sujet, 16 Juillet 1894 (Anglais).... 393
Convention supplémentaire, 16 Juillet 1895 (Anglais). 394
Note du Ministre anglais à Tokio relative aux colonies de la Terre-Neuve et du Natal, 26 Novembre 1895 (Anglais). 400
Protocole concernant l'application du Traité à la Colonie de Queensland, 16 Mars 1897 (Anglais). 401
Note du Ministre anglais relative aux autres colonies, 16 Mars 1897 (Anglais).... 401
Convention concernant les relations commerciales entre le Japon et les Indes Anglaises, 29 Août 1904 (Anglais). 402
Convention concernant les relations commerciales entre le Japon et le Canada, 31 Janvier 1906 (Anglais).... 404
Convention pour la protection de la propriété des personnes décédées, 26 Avil 1900 (Anglais). 405
Note du Charge d'Affaires anglais relative à l'application de cette convention à la Colonie du Cap, 26 Août 1901 (Anglais). 408
Note du Ministre anglais relative à l'application de cette convention aux Indes Anglaises, 12 Février 1902 (Anglais).... 409
Note du Ministre anglais relative à l'adhésion de l'Australie à cetts convention, 8 Mai 1903 (Anglais). 409
Protocole concernant la juridiction consulaire, 5 Mai 1899 (Anglais). 411
Arrangement relatif aux dépenses faites pour les naufragés, 5 Décembre 1878 (Anglais). 412

PAGE.

Règlement concernant les mandats-poste entre le Japon et Hongkong, 18 Avril 1884 (Anglais). 413

Convention pour l'échange des mandats-poste entre le Japon et le Canada, 16 Mai 1889 (Anglais)... 415

Arrangement modifié pour l'échange des mandats-poste entre le Japon et la Grande-Bretagne, 20 Mai 1890 (Anglais).... 430

Convention pour l'échange des colis-postaux entre le Japon et le Canada, 3 Septembre 1890 (Anglais). 441

Convention supplémentaire, 9 Novembre 1892 (Anglais). 443

Convention supplémentaire, 11 Septembre 1894 (Anglais) 444

Arrangement concernant l'échange des colis-postaux entre le Japon et l'Australie, 29 Octobre 1906 (Anglais) 445

Arrangement concernant l'échange des Colis-postaux entre le Japon et la Grande-Bretagne, 19 Juillet 1907 (Anglais). 451

Arrangement concernant l'échange des Colis-postaux entre le Japon et Hong-Kong, 19 Juillet 1907 (Anglais). 458

Arrangement relatif aux Indes et à l'Asie Orientale, 12 Septembre 1905 (Anglais). 464

GRÈCE :

Traité d'Amitié, de Commerce et de Navigation, 1er Juin 1899 (Anglais). 467

ITALIE :

Traité de Commerce et de Navigation, 1er Décembre 1894 (Italien et Anglais).... 474

Protocole, 1er Décembre 1894 (Italien et Anglais). 492

Note du Ministre d'Italie à Tokio du 1er Décembre 1905 relative aux notes du 1er Décembre 1904 (Français). 496

Note du Gouvernement Italien du 1er Décembre 1904 relative an tarif conventionnel (Italien et Anglais).... 497

Réponse du Gouvernement Japonais au même sujet (Anglais). 498

Protocole concernant la juridiction consulaire, 26 Juin 1899 (Français). 499

MEXIQUE :

Traité d'Amitié et de Commerce, 30 Novembre 1888 (Espagnol et Anglais). ... 500

NORVÈGE :

Note du Chargé d'Affaires de Norvège à Tokio du 6 Janvier 1906 relative à la validité des Traités et Conventions signés avant la dissolution de l'Union entre la Norvège et la Suède (Français). 509

PAYS-BAS :

Traité de Commerce et de Navigation, 8 Septembre 1896 (Anglais). 510

PAGE.

Protocole, 8 Septembre 1896 (Anglais). 520

PÉROU :

Traité de Commerce et de Navigation, 20 Mars 1895 (Anglais). 523

Protocole, 20 Mars 1895 (Anglais). 532

PORTUGAL :

Traité de Commerce et de Navigation, 26 Janvier 1897 (Français). 534

Protocole, 26 Janvier 1897 (Français). 546

RUSSIE :

Traité de Commerce et de Navigation, 28 Juiller 1907 (Français). 549

Articles Séparés, 28 Juillet 1907 (Français). 558

Protocole concernant les passeports et les marchandises de Liaotung et des Provinces russes, 28 Juillet 1907 (Français). 560

Protocole relatif à certaines questions consulaires, 28 Juillet 1907 (Français).... 561

Note du Gouvernement japonais du 28 Juillet 1907 relative à la clause de la nation la plus favorisée (Français). 561

Réponse du Gouvernement russe du 28 Juillet 1907 au même sujet (Français).... 562

Convention de Pêche, 28 Juillet 1907 (Français). 563

Protocole, 28 Juillet 1907 (Français).... 568

Protocole de la Conférence en vue de la conclusion d'une Convention de Pêche entre le Japon et la Russie, 11 Juin 1907 (Français)... 574

Convention provisoire concernant le service de raccordement des chemins de fer japonais et russes en Manchourie, 13 Juin 1907 (Français).... 577

Articles additionnels, 13 Juin 1907 (Français). 581

Protocole, 13 Juin 1907 (Français). 582

Traité de Paix, 5 Septembre 1905 (Français et Anglais). 585

Articles additionnels, 5 Septembre 1905 (Français et Anglais).... 594

Traité d'échange de l'île de Sakhaline et du groupe des îles Kouriles, 7 Mai 1875 (Français)... 597

Déclaration relative à l'Art. IV du Traité de 7 Mai 1875 (Français). 600

Article supplémentaire du 22 Août 1875, relatif à l'Art. V du Traité de 7 Mai 1875 (Français). 601

Protocole concernant l'évacuation de Manchourie par les armées japonaises et russes, et la remise de la ligne du chemin de fer, 30 Octobre 1905 (Russe). ... 603

Memorandum du 30 Octobre 1905 (Russe) 605

Convention du 30 Juillet 1907 (Français). 606

PAGE.

SIAM :

Traité d'Amitié, de Commerce et da Navigation, 25 Février 1898 (Anglais). ... 608
Protocole, 25 Février 1898 (Anglais).... 614
Note du Gouvernement japonais relative au commerce des liqueurs alcooliques, 25 Février 1898 (Anglais).... 616
Réponse du Gouvernement siamois au même sujet, 25 Février 1898 (Anglais).... 616

SUÈDE :

Traité de Commerce et de Navigation, 2 Mai 1896 (Français). 618
Protocole, 2 Mai 1896 (Français). 627
Article Séparé, 2 Mai 1896 (Français). 629
Protocole Additionnel, 1er Mai 1897 (Français). 630
Note du Ministre de Suède à Tokio relative à la validité des Traités, Conventions et Arragements signés avant la dissolution de l'Union entre la Suède et la Norvège, 16 Décembre 1905 (Français).... 630

SUISSE :

Traité d'Amitié, d'Etablissement et de Commerce, 10 Novembre 1896 (Français). 632
Protocole, 10 Novembre 1896 (Français).... 639
Déclaration concernant l'interprétation des articles II, III, XI et XII du Traité, 10 Novembre 1896 (Français).... 641

SUPPLÉMENT.

PAGE.

Convention entre le Japon et les Etats-Unis d'Amérique pour la protection réciproque en Corée des brevets d'invention, des desseins, des marques de commerce et des droits d'auteur, 19 Mais 1908 (Anglais). I
Convention entre le Japon et les Etats-Unis d'Amérique pour la protection réciproque en Chine des brevets d'invention, des desseins, des marques de commerce et des droits d'auteur, 19 Mai 1908 (Anglais). IV
Convention d'Arbitrage entre le Japon et les Etats-Unis d'Amérique, 5 Mai 1908 (Anglais). VII
Note de l'Ambassade Britannique à Tokio relative à la dénonciation du traité entre le Japon et le Queensland, 31 Juillet 1908 (Anglais). IX

PAGE.

Convention Consulaire entre le Japon et les Pays-Bas en ce qui concerne les Possessions et Colonies Néerlandaises, 27 Avil (Français).... X

Acte de délimitation de l'Ile de Karafuto, 10 Avril 1908 (Russe).... XVII

Note Diplomatique concernant la confirmation des travaux de ladite délimitation, 6 Aout 1908 (Français).... XX

APPENDIX.

Loi sur le tarif douanier avec tarif d'importation (Anglais).

ALLEMAGNE.

HANDELS- UND SCHIFFFAHRTSVERTRAG.

Unterzeichnet in Berlin am 4. Tag des 4. Monats des 29. Jahres Meidji (1896); *ratificirt am 26. Tag des 8. Monats desselben Jahres; ausgetauscht in Berlin am 18. Tag des 11. Monats desselben Jahres; veröffentlicht am 19. Tag des 11. Monats desselben Jahres.*

Seine Majestät der Kaiser von Japan und Seine Majestät der Deutsche Kaiser, König von Preussen, im Namen des Deutschen Reichs, von dem gleichen Wunsche geleitet, das gute Einvernehmen, welches erfreulicherweise zwischen ihnen besteht, durch Ausdehnung und Hebung des Verkehrs zwischen Japan und Deutschland zu erhalten, und überzeugt, dass diese Aufgabe nicht besser als durch die Revision des zur Zeit zwischen den beiden Ländern bestehenden Vertrages erfüllt werden kann, haben beschlossen, eine solche Revision auf Grundlage der Billigkeit und des gegenseitigen Vortheils vorzunehmen, und zu diesem Zwecke zu ihren Bevollmächtigten ernannt, nämlich:

Seine Majestät der Kaiser von Japan:

Allerhöchstihren ausserordentlichen Gesandten und bevollmächtigten Minister bei Seiner Majestät dem Deutschen Kaiser, König von Preussen, Herrn Vicomte Siuzo Aoki,

und

Seine Majestät der Deutsche Kaiser, König von Preussen:

Allerhöchstihren Staatsminister, Staatssekretär des Auswärtigen Amtes, Herrn Adolf Freiherrn Marschall von Bieberstein,

welche nach gegenseitiger Mittheilung ihrer in guter und gehöriger Form befundenen Vollmachten den nachstehenden Handels- und Schifffahrtsvertrag vereinbart und festgestellt haben:

ARTIKEL I.

Die Angehörigen eines jeden der beiden vertragschliessenden Theile sollen volle Freiheit geniessen, überall die Gebiete des anderen vertragschliessenden

Theiles zu betreten, zu bereisen oder sich daselbst niederzulassen, und sollen vollen und uneingeschränkten Schutz für ihre Person und ihr Eigenthum geniessen.

Sie sollen freien und ungehinderten Zutritt zu den Gerichten haben zur Verfolgung und Vertheidigung ihrer Rechte; sie sollen in gleicher Weise wie die Inländer das Recht haben, Anwälte, Advocaten und Vertreter zur Verfolgung und Vertheidigung ihrer Rechte vor diesen Gerichten zu wählen und zu verwenden, und in allen anderen auf die Rechtspflege bezüglichen Angelegenheiten alle Rechte und Begünstigungen der Inländer geniessen.

Die Angehörigen eines jeden der vertragschliessenden Theile sollen in den Gebieten des anderen in Bezug auf die Niederlassung und das Reisen, auf den Besitz von Waaren und beweglichen Sachen aller Art, auf den, sei es kraft letzten Willens oder in anderer Weise erfolgenden Erwerb von Todeswegen bei solchem Vermögen aller Art, welches sie unter Lebenden erwerben dürfen, und in Bezug auf alle wie immer beschaffenen Verfügungen über Vermögen jeder Art, welches in gesetzmässiger Weise erworben ist, die nämlichen Begünstigungen, Freiheiten und Rechte geniessen und in diesen Beziehungen keinen höheren Abgaben und Lasten unterworfen sein, als die Inländer oder die Angehörigen der meistbegünstigten Nation.

Die Angehörigen eines jeden der vertragschliessenden Theile sollen in den Gebieten des anderen vollkommene Gewissensfreiheit, sowie in Gemässheit der Gesetze, Verordnungen und Reglements das Recht privater oder öffentlicher Abhaltung ihres Gottesdienstes und auch das Recht geniessen, ihre betreffenden Landsleute nach ihren religiösen Gebräuchen auf den geeigneten und passend befundenen, zu diesem Zweck angelegten und unterhaltenen Plätzen zu bestatten.

Sie sollen unter keinem Vorwande gezwungen werden, andere oder höhere Abgaben oder Steuern zu bezahlen als diejenigen, welche jetzt oder künftig von Inländern oder Angehörigen der meistbegünstigten Nation gezahlt werden. (1)

ARTIKEL II.

Die Angehörigen eines jeden der vertragschliessenden Theile, welche in den Gebieten des anderen wohnen, sollen von jedem zwangsweisen Militärdienst irgend welcher Art, sei es im Heer, in der Flotte, der Bürgerwehr oder der Miliz, von allen, an Stelle persönlicher Dienstleistung auferlegten Abgaben un

von allen Zwangsanleihen oder militärischen Leistungen oder Abgaben befreit sein. (2)

ARTIKEL III.

Es soll gegenseitige Freiheit des Handels und der Schifffahrt zwischen den Gebieten der beiden vertragschliessenden Theile bestehen.

Die Angehörigen eines jeden der vertragschliessenden Theile dürfen überall in den Gebieten des anderen Gross- oder Kleinhandel mit allen Arten von Erzeugnissen des Bodens und des Gewerbefleisses und von Waaren, soweit sie in den Verkehr gebracht werden dürfen, sei es persönlich oder durch Beauftragte, einzeln oder in Vereinigung mit Fremden oder Inländern betreiben, sie dürfen Wohnhäuser, Fabrikgebäude, Waarenhäuser, Läden und sonstige Räumlichkeiten bestizen oder miethen und bewohnen, auch dürfen sie für Niederlassungs-, Industrie- und Handelszwecke Ländereien pachten, wobei sie wie die Inländer den Gesetzen, den Polizei- und Zollvorschriften des Landes unterworfen sind.

Sie sollen befugt sein, frei und sicher mit ihren Schiffen und deren Ladungen alle die Plätze, Häfen und Flüsse in den Gebieten des anderen Theiles zu besuchen, welche für die Einfuhr oder Ausfuhr von Waaren geöffnet sind oder künftighin geöffnet sein werden, und sollen gegenseitig in Angelegenheiten des Handels, der Industrie und der Schifffahrt dieselbe Behandlung wie die Inländer oder die Angehörigen der meistbegünstigten Nation geniessen, ohne andere oder höhere Steuern, Auflagen oder Zölle irgend welcher Art oder Bezeichnung, mögen dieselben im Namen oder zum Vortheil der Regierung, öffentlicher Beamter, Privater oder irgend welcher Korporationen oder Anstalten erhoben werden, zu entrichten, als diejenigen, welche von Inländern oder Angehörigen der meistbegünstigten Nation gezahlt werden, immer in Gemässheit der Gesetze, Verordnungen und Reglements des betreffenden Landes. (3)

ARTIKEL IV.

Die Wohngebäude, Fabriken, Waarenhäuser und Läden der Angehörigen eines jeden der vertragschliessenden Theile in den Gebieten des anderen, sowie alle dazu gehörigen Räumlichkeiten, welche zu Niederlassungs-, Industrie- und Handelszwecken bestimmt sind, sollen unverletzlich sein.

Es ist unzulässig, in solchen Gebäuden und Räumlichkeiten Durchsuchungen oder Haussuchungen abzuhalten, oder Bücher, Papiere und Rechnungen ein-

zusehen und zu prüfen, ausgenommen in denjenigen Fällen und in denjenigen Formen, in welchen derartige Massnahmen nach den Gesetzen, Verordnungen und Reglements auch Inländern gegenüber anwendbar sind. (3)

ARTIKEL V.

Bei der Einfuhr in Deutschland sollen auf Gegenstände, welche in Japan erzeugt oder verfertigt sind, von welchem Platze sie auch kommen mögen, und bei der Einfuhr in Japan sollen auf Gegenstände, welche in Deutschland erzeugt oder verfertigt sind, von welchem Platze sie auch kommen mögen, keine anderen oder höheren Zölle gelegt werden, als auf die gleichartigen Gegenstände, welche in irgend einem fremden Lande erzeugt oder verfertigt sind.

Auch soll bezüglich eines in den Gebieten des einen vertragschliessenden Theiles erzeugten oder verfertigten Gegenstandes, von welchem Platze derselbe auch kommen möge, kein Verbot der Einfuhr in die Gebiete des anderen aufrecht erhalten oder erlassen werden, welches nicht ebenso die Einfuhr des gleichartigen Gegenstandes aus irgend einem dritten Lande trifft. Diese letztere Vorschrift findet keine Anwendung auf die sanitären und anderen Verbote, welche durch die Nothwendigkeit veranlasst werden, die öffentliche Gesundheit, die Erhaltung des Viehs oder der Landwirthschaft nützlichen Pflanzen zu sichern. (4)

ARTIKEL VI.

In den Gebieten eines jeden der vertragschliessenden Theile sollen bei der Ausfuhr nach den Gebieten des anderen auf keinen Gegenstand andere oder höhere Zölle oder Abgaben gelegt werden als diejenigen, welche bei der Ausfuhr der gleichartigen Gegenstände nach irgend einem anderen fremden Lande jetzt oder in Zukunft entrichtet werden ; auch darf nicht die Ausfuhr eines Gegenstandes aus den Gebieten des einen der vertragschliessenden Theile in die Gebiete des anderen mit einem Verbote belegt werden, welches sich nicht gleichmässig auf die Ausfuhr der gleichartigen Gegenstände nach irgend einem anderen Lande erstreckt. (4)

ARTIKEL VII.

Die Angehörigen eines jeden der vertragschliessenden Theile sollen in den Gebieten des anderen mit Bezug auf die Befreiung von Durchfuhrzöllen und in

Allem, was sich auf Zollniederlagen, Ausfuhrvergütungen, Erleichterungen und Rückzölle bezieht, völlige Gleichstellung mit den Inländern geniessen. (4)

ARTIKEL VIII.

Für zollpflichtige Gegenstände, welche als Muster von den die Gebiete des einen der vertragschliessenden Theile besuchenden Kaufleuten, Gewerbetreibenden und Handlungsreisenden des anderen Theiles eingebracht werden, wird beiderseits Befreiung von Eingangs- und Ausgangsabgaben zugestanden, unter der Voraussetzung, dass diese Gegenstände binnen der durch die Landesgesetze bestimmten Frist unverkauft wieder ausgeführt werden, und vorbehaltlich der Erfüllung der für die Wiederausfuhr oder für die Zurücklieferung in der Niederlage nothwendigen Zollförmlichkeiten. Die Wiederausfuhr der Muster muss in beiden Ländern unmittelbar am ersten Einfuhrort durch Niederlegung des Betrages der bezüglichen Zollgebühren oder durch Sicherheitsstellung gewährleistet werden.

Ferner werden Musterkarten und Muster in Abschnitten und Proben, sofern sie nur zum Gebrauch als solche geeignet sind, beiderseits frei von Eingangsabgaben zugelassen, auch wenn ihre Einbringung auf anderem als dem im vorausgehenden Absatz bezeichneten Wege erfolgt. (4)

ARTIKEL IX.

Wird innerhalb der Gebiete eines der vertragschliessenden Theile im ganzen Lande oder in einem beschränkten Umkreise, sei es für Rechnung des Staates oder für Rechnung einer Gemeinde oder Korporation, von der Hervorbringung, der Herstellung oder dem Verbrauch eines Artikels eine innere Abgabe erhoben, so darf der gleiche Artikel, wenn er aus den Gebieten des anderen Theiles eingeführt wird, in diesem Lande oder diesem Umkreise nur mit einer gleichen und mit keiner höheren oder lästigeren Abgabe belegt werden.

Keinerlei Abgaben dürfen erhoben werden, falls in diesem Lande oder in diesem Umkreise Artikel derselben Art nicht erzeugt oder hergestellt werden, oder, wenn sie auch daselbst erzeugt oder hergestellt werden, nicht von derselben Abgabe getroffen sind. (5)

ARTIKEL X.

Alle Gegenstände, welche in japanische Häfen auf japanischen Schiffen gesetzmässig eingeführt werden oder eingeführt werden dürfen, können in diese

Häfen auch auf deutschen Schiffen eingeführt werden, ohne anderen oder höheren Zöllen oder Abgaben, gleichviel welcher Benennung, unterworfen zu sein, als wenn diese Gegenstände auf japanischen Schiffen eingeführt würden ; und umgekehrt können alle Gegenstände, welche in deustche Häfen auf deutschen Schiffen gesetzlich eingeführt werden oder eingeführt werden dürfen, in diese Häfen auch auf japanichen Schiffen eingeführt werden, ohne anderen oder höheren Zöllen oder Abgaben, gleichviel welcher Benennung, unterworfen zu sein, als wenn diese Gegenstände auf deutschen Schiffen eingeführt würden. Diese gegenseitige gleiche Behandlung erfolgt ohne Unterschied, ob die betreffenden Gegenstände unmittelbar von dem Ursprungsort oder von einem anderen Platze kommen.

Ebenso soll eine völlig gleiche Behandlung auch hinsichtlich der Ausfuhr herrschen, so dass in den Gebieten eines jeden der vertragschliessenden Theile bei der Ausfuhr eines Gegenstandes, welches gesetzmässig aus denselben ausgeführt wird, dieselben Ausfuhrzölle gezahlt und dieselben Ausfuhrvergütungen und Rückzölle gewährt werden sollen, gleichviel, ob die Ausfuhr auf japanischen oder auf deutschen Schiffen erfolgt, und ohne Rücksicht auf den Bestimmungsort, mag dieser ein Hafen der vertragschliessenden Theile oder einer dritten Macht sein. (5)

ARTIKEL XI.

Keine Tonnen-, Hafen-, Lootsen-, Leuchtthurm-, Quarantäne- oder ähnlichen Gebühren irgend welcher Art oder Bezeichnung, die sei es im Namen oder im Interesse des Staates, sei es in demjenigen von öffentlichen Beamten, von Privaten, von Korporationen oder von Instituten irgend einer Art erhoben werden, dürfen in den Gebieten des einen Landes den Schiffen des anderen Landes auferlegt werden, sofern dieselben nicht in den gleichen Fällen ebenso und unter denselben Bedingungen den inländischen Schiffen und den Schiffen der meistbegünstigten Nation auferlegt werden. Diese Gleichförmigkeit in der Behandlung soll gegenseitig auf die beiderseitigen Schiffen Anwendung finden, ohne Rücksicht darauf, von welchem Hafen oder Platze dieselben ankommen, und wohin sie bestimmt sind. (6)

ARTIKEL XII.

Rücksichtlich des Ankerplatzes, des Ladens und Löschens der Schiffe in den Häfen, Bassins, Docks, Rheden und Flüssen der Gebiete beider Länder soll den

inländischen Schiffen kein Vorrecht gewährt werden, das nicht in gleicher Weise den Schiffen des anderen Landes gewährt wird; die Absicht der vertragschliessenden Theile geht dahin, dass auch in dieser Hinsicht die beiderseitigen Schiffe auf dem Fusse völliger Gleichheit behandelt werden sollen. (6)

ARTIKEL XIII.

Der Küstenhandel der beiden vertragschliessenden Theile wird durch die Bestimmungen des gegenwärtigen Vertrages nicht berührt; derselbe soll den Gesetzen, Verordnungen und Reglements jedes der beiden Länder unterworfen sein. Es ist jedoch vereinbart, dass japanische Staatsangehörige in Deutschland und deutsche Reichsangehörige in Japan in dieser Beziehung die Rechte geniessen sollen, welche in Gemässheit jener Gesetze, Verordnungen und Reglements den Angehörigen irgend eines anderen Landes bewillgt sind oder künftig bewilligt werden.

Ein japanisches Schiff, welches in einem fremden Lande mit Gütern für zwei oder mehr deutsche Häfen befrachtet ist, und ein deutsches Schiff, welches in einem fremden Lande mit Gütern für zwei oder mehr japanische Häfen befrachtet ist, darf einen Theil seiner Ladung in einem der Bestimmungshäfen löschen und seine Reise nach dem anderen oder nach den anderen Häfen, sofern daselbst die Einfuhr oder Ausfuhr von Waaren gestattet ist, behufs Löschung des Restes seiner ursprünglichen Ladung fortsetzen, in allen Fällen unter Beachtung der Gesetze und Zollordnungen der beiden Länder.

Die japanische Regierung willigt indessen darein, dass deutsche Schiffe nach wie vor für die Dauer des gegenwärtigen Vertrages Ladung zwischen den gegenwärtigen geöffneten Häfen befördern dürfen, ausgenommen nach oder von den Häfen von Osaka, Niigata und Ebisu-minato. (6)

ARTIKEL XIV.

Kriegs-oder Kauffahrteischiffe eines jeden der vertragschliessenden Theile, welche durch stürmisches Wetter oder durch irgend einen andern Unfall genöthigt werden, in einem Hafen des anderen Theiles Zuflucht zu suchen, sollen die Befugniss haben, daselbst Ausbesserungen vorzunehmen, sich alle nöthigen Vorräthe zu verschaffen und wieder in See zu gehen, ohne irgend andere Gebühren zu bezahlen als diejenigen, welche von inländischen Schiffen zu entrichten sein würden. Falls jedoch der Führer eines Kauffahrteischiffes sich genöthigt sehen

sollte, übre einen Theil seiner Ladung zu verfügen, um Ausgaben zu bestreiten, so soll er verpflichtet sein, sich nach den Verordnungen und Tarifen des Ortes, wohin er gekommen ist, zu richten.

Wenn ein Kriegs- oder Kauffahrteischiff des einen der vertragschliessenden Theile an den Küsten des anderen strandet oder Schiffbruch leidet, so sollen die Ortsbehörden den Generalkonsul, Konsul, Vicekonsul oder Konsularagenten des Bezirks, in welchem der Unfall stattgefunden hat, oder, wenn es derartige Konsularbeamte dort nicht giebt, den Generalkonsul, Consul, Vicekonsul oder Konsularagenten des nächsten Bezirks benachrichtigen.

Alle Rettungsmassregeln bezüglich japanischer in den deutschen Küstengewässern verunglückter oder gestrandeter Schiffe sollen nach Massgabe der deutschen Gesetze, Verordnungen und Reglements Platz greifen, und umgekehrt sollen alle Rettungsmassregeln hinsichtlich deutscher, in den japanischen Küstengewässern verunglückter oder gestrandeter Schiffe in Gemässheit der japanischen Gesetze, Verordnungen und Reglements erfolgen.

Ein derartiges gestrandetes oder verunglücktes Schiff oder Fahrzeug und alle Theile desselben, sowie alle seine Ausrüstungsgegenstände und Zubehörungen, ferner alle Güter und Waaren, welche davon gerettet worden sind, einschliesslich derer, welche in die See geworfen waren, oder der Erlös dieser Gegenstände, falls sie verkauft worden sind, ebenso alle an Bord eines solchen gestrandeten oder verunglückten Schiffes oder Fahrzeuges vorgefundenen Papiere sind den Eigenthümern oder deren Beauftragten auszuhändigen, sobald sie von denselben beansprucht werden. Wenn diese Eigenthümer oder Beauftragten sich nicht an Ort und Stelle befinden, so sind alle die gedachten Gegenstände dem betreffenden Generalkonsul, Konsul, Vicekonsul oder Konsularagenten, sofern die Herausgabe von denselben innerhalb der durch die Landesgesetze festgesetzten Frist verlangt wird, auszuhändigen, und diese Konsularbeamten, Eigenthümer oder Beauftragten sollen nur die durch die Rettung und Erhaltung der Güter erwachsenen Kosten, einschliesslich des Bergelohnes, bezahlen, wie sie im Falle des Scheiterns eines inländischen Schiffes zu entrichten gewesen wären.

Die aus dem Schiffbruch geretteten Güter und Waaren sollen von allen Zöllen befreit sein, sofern sie nicht für den Verbrauch deklarirt werden, in welchem Falle sie die gewöhnlichen Abgaben zu entrichten haben.

Wenn ein Schiff oder Fahrzeug, welches im Eigenthum von Angehörigen

des einen der vertragschliessenden Theile steht, in den Küstengewässern des anderen strandet oder verunglückt, so sollen die betreffenden Generalkonsuln, Konsuln, Vicekonsuln oder Konsularagenten, falls der Eigenthümer oder der Schiffsführer oder ein anderer Beauftragter des Eigenthümers nicht anwesend ist, ermächtigt sein, amtlichen Beistand zu leisten, damit den Angehörigen des betreffenden Landes die erforderliche Unterstützung gewährt wird. Derselbe Grundsatz soll in dem Falle Anwendung finden, wenn der Eigenthümer oder sonstige Beauftragte zugegen ist, indess solchen Beistand nachsucht. (7)

ARTIKEL XV.

Alle Schiffe, welche nach deutschem Recht als deutsche, und alle Schiffe, welche nach japanischem Recht als japanische Schiffe anzusehen sind, sollen im Sinne dieses Vetrages als deutsche beziehungsweise japanische Schiffe gelten. (9)

ARTIKEL XVI.

Die vertragschliessenden Theile kommen darin überein, dass in allen auf Handel und Schifffahrt bezüglichen Angelegenheiten jede Art von Vorrecht, Begünstigung oder Befreiung, welche der eine vertragschliessende Theil der Regierung, den Schiffen oder den Angehörigen irgend eines anderen Staates gegenwärtig eingeräumt hat oder in Zukunft einräumen wird, sofort und bedingungslos auf die Regierung, die Schiffe oder die Angehörigen des anderen vertragschliessenden Theiles ausgedehnt werden soll, da es ihre Absicht ist, dass Handel und Schifffahrt eines jeden Landes von dem anderen in allen Beziehungen auf den Fuss der meistbegünstigten Nation gestellt werden sollen. (9)

ARTIKEL XVII.

Die Angehörigen des einen der vertragschliessenden Theile sollen in den Gebieten des anderen in Bezug auf den Schutz von Erfindungen, von Mustern (einschliesslich der Gebrauchsmuster) und Modellen, von Handels- und Fabrikmarken, von Firmen und Namen dieselben Rechte, wie die eigenen Angehörigen unter der Voraussetzung geniessen, dass sie die hierfür vom Gesetz vorgesehenen Bedingungen erfüllen. (2)

ARTIKEL XVIII.

Die vertragschliessenden Theile sind über Folgendes einverstanden :

Die einzelnen Fremdenniederlassungen in Japan sollen den betreffenden japanischen Gemeinden einverleibt werden und hinfort Bestandtheile der japanischen Gemeinden bilden.

Die zuständigen japanischen Behörden sollen demnach mit Bezug auf dieselben alle Verbindlichkeiten und Verpflichtungen übernehmen, welche ihnen hinsichtlich der Gemeinden obliegen und gleichzeitig sollen die öffentlichen Gelder und Vermögensgegenstände, welche diesen Niederlassungen gehören, den genanten japanischen Behörden übergeben werden.

Sobald diese Einverleibung erfolgt, sollen die bestehenden, zeitlich unbegrenzten Überlassungsverträge, unter welchen jetzt in den gedachten Niderlassnngen Grundstücke besessen werden, bestätigt und hinsichtlich dieser Grundstücke sollen keine Bedingungen irgend einer anderen Art auferlegt werden, als sie in den bestehenden Überlassungsverträgen enthalten sind.

Die Besitzrechte an diesen Niederlassungsgrundstücken können in Zukunft von ihren Besitzern frei und, ohne dass es dazu, wie bisher in gewissen Fällen, der Genehmigung der konsularischen oder japanischen Behörden bedarf, an Inländer oder Ausländer veräussert werden.

Im Übrigen gehen die nach den ursprünglichen Überlassungsverträgen den Konsularbehörden zustehenden Funktionen auf die japanischen Behörden über.

Alle Ländereien, welche von der japanischen Regierung für öffentliche Zwecke der Fremdenniederlassung bisher zinsfrei hergegeben worden sind, sollen, unbeschadet der aus der Gebietshoheit sich ergebenden Rechte, frei von allen Steuern und Lasten den öffentlichen Zwecken, für welche sie ursprünglich bestimmt worden, dauernd erhalten bleiben. (9)

ARTIKEL XIX.

Der gegenwärtige Vertrag erstreckt sich auch auf die mit einem der vetrragschliessenden Theile gegenwärtig oder künftig zollgeeinten Gebiete. (10)

ARTIKEL XX.

Der gegenwärtige Vertrag tritt vom Tage seines vollen Inkrafttretens an die Stelle des Vertrages vom 20. Februar 1869, sowie derjenigen Abkommen und Übereinkünfte, welche in Ergänzung des letzteren Vertrages abgeschlossen sind oder bestehen. Von demselben Tage ab verlieren jene früheren Vereinbarungen ihre Wirksamkeit, und demgemäss hört alsdann die bis dahin in Japan

ausgeübte Gerichtsbarkeit deutscher Gerichtsbehörden auf und erreichen alle ausnahmsweisen Privilegien, Befreiungen und Immunitäten, die bis dahin die deutschen Reichsangehörigen als einen Bestandtheil oder einen Ausfluss dieser Gerichtsbarkeit genossen, ohne Weiteres ihre Endschaft. Diese Gerichtsbarkeit wird alsdann von japanischen Gerichten übernommen und ausgeübt werden. (10)

ARTIKEL XXI.

Der gegenwärtige Vertrag mit Ausnahme des Artikels XVII soll—jedoch nicht vor dem 17. Juli 1899—in Kraft treten nach Ablauf eines Jahres, nachdem die Regierung seiner Majestät des Kaisers von Japan der Regierung seiner Majestät des Deutschen Kaisers, Königs von Preussen, von ihrem Wunsche, den Vertrag in Kraft zu setzen, Anzeige gemacht hat. Der Vertrag soll von seinem Inkraftreten ab 12 Jahre in Geltung bleiben.

Jeder der vertragschliessenden Theile soll das Recht haben, zu irgend einer Zeit, nachdem 11 Jahre vom Tage des Inkrafttretens des Vertrages verflossen sind, dem anderen seine Absicht, diesen Vertrag aufhören zu lassen, anzukündigen, und mit Ablauf von 12 Monaten nach erfolgter Kündigung soll der gegenwärtige Vertrag gänzlich aufhören und endigen.

Der Artikel XVII des gegenwärtigen Vertrages soll schon mit dem Tage des Austausches der Ratificationen in Kraft treten und, sofern nicht von den vertragschliessenden Theilen noch ein Anderes vereinbart werden sollte, so lange in Geltung bleiben, bis die übrigen Bestimmungen des Vertrages ihre Wirksamkeit verlieren. (11)

ARTIKEL XXII.

Der gegenwärtige Vertrag soll ratifizirt und die Ratifikations-Urkunden sollen in Berlin sobald als möglich ausgetauscht werden. (11)

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Siegeln versehen.

So geschehen zu Berlin in doppelter Ausfertigung am 4. April 1896.

[L. S.] VICOMTE AOKI.
[L. S.] FREIHERR VON MARSCHALL.

PROTOKOLL.

Die unterzeichneten Bevollmächtigten haben gleichzeitig mit dem Handels- und Schifffahrtsvertrage vom heutigen Tage noch folgende Bestimmungen vereinbart:

1. ZU ARTIKEL I DES VERTRAGES.

Die japanische Regierung ist damit einverstanden, noch vor der Eröffnung des Landes für deutsche Reichsangehörige das bestehende Passsystem derartig zu erweitern, dass deutsche Reichsangehörige, welche ein Empfehlungszeugniss des deutschen Vertreters in Tokio oder eines deutschen Konsuls in den geöffneten japanischen Häfen vorlegen, auf Antrag von dem japanischen Auswärtigen Amt in Tokio oder von den Ortsbehörden des Bezirks, in welchem ein offener Hafen liegt, für jeden Theil des Landes und für einen 12 Monate nicht überschreitenden Zeitraum gültige Pässe erhalten; es besteht Einverständniss, dass die bestehenden Regeln und Vorschriften, welche für die das Innere des Reiches besuchenden deutschen Reichsangehörigen massgebend sind, aufrecht erhalten bleiben sollen.

2. ZU ARTIKEL I UND III.

Zwischen den vertragschliessenden Theilen besteht Einverständniss darüber, dass die Angehörigen des einen Theiles in den Gebieten des anderen Theiles auch zu dem Erwerb und Besitz von Hypothekenrechten an unbeweglichen Sachen in gleicher Weise wie die Inländer zugelassen werden sollen.

3. ZU ARTIKEL V.

Die vertragschliessenden Theile sind übereingekommen, dass sechs Monate nach dem Austausch der Ratifikationen des heute unterzeichneten Handels- und Schifffahrtsvertrages der hier beigefügte Einfuhrtarif—unbeschadet der Bestimmungen des Artikels XIX des zwischen den vertragschliessenden Theilen gegenwärtig bestehenden Vertrages von 1869, solange der genannte Vertrag in Kraft bleibt, und danach, gemäss den Bestimmungen der Artikel V und XVI des heute unterzeichneten Vertrages—auf die darin genannten Gegenstände, soweit sie deutsche Boden- oder Industrieerzeugnisse sind, bei der Einfuhr nach Japan Anwendung finden soll. Nichts in diesem Protokoll oder dem beigefügten Tarif soll

indessen das Recht der japanischen Regierung beeinträchtigen, die Einfuhr folgender Gegenstände zu verbieten oder zu beschränken, nämlich : von verfälschten Droguen, Medikamenten, Lebensmitteln oder Getränken ; unanständigen oder unzüchtigen Drucksachen, Bildern, Büchern, Karten, Lithographien oder Stichen, Phothographien oder irgend welchen unanständigen oder unzüchtigen Gegenständen ; von Gegenständen, deren Einfuhr in Widerspruch mit den japanischen Gesetzen über den Schutz der Erfindungen, Handelsmarken oder Urheberrechte stehen würde; oder von sonstigen Gegenständen, die in sanitären Hinsicht oder für die öffentliche Sicherheit oder Moral gefährlich sein könnten.

Die in dem genannten Tarif aufgeführten Werthzölle sollen, soweit als es für thunlich erachtet werden wird, in spezifische Zölle, die in der gegenwärtigen japanischen Silberwährung zu berechnen sind, durch eine Nachtragskonvention umgewandelt werden, welche zwischen den beiden Regierungen sobald als möglich abgeschlossen werden soll ; als Grundlage für diese Umwandlung sollen die Durchschnittspreise genommen werden, welche in den japanischen Zollübersichten während der dem Tage des gegenwärtigen Protokolls vorhergehenden sechs Kalendermonate nachgewiesen worden sind, unter Zuschlag der Kosten für Versicherung und Transport von Kauf-, Erzeugungs- oder Fabrikationsplatze bis zum Landungshafen, sowie eventuell der Kommissionsspesen.

Es besteht jedoch Einverständniss darüber, dass hinsichtlich der unter den Nummern 2, 11, 18, 19, 20, 21, 24, 30, 31, 34, 35, 38, 39, 40, 41, 44, 47, 48, 56, 59 des beigefügten Tarifs aufgeführten Gegenstände die zwischen Japan und Grossbritannien vereinbarte Umrechnung der Werthzölle in spezifische Zölle für die deutsche Einfuhr massgebend sein soll.

Solange und soweit die Umwandlung in spezifische Zölle nicht erfolgt ist, sollen die Werthzölle in Gemässheit der am Schlusse des beigefügten Tarifs aufgeführten Vorschrift erhoben werden.

Für die in dem beigefügten Tarif nicht aufgeführten Gegenstände soll, unbeschadet der Bestimmungen des Artikels XIX des Vertrages von 1869 und der Artikel V und XVI des heute unterzeichneten Vertrages, sechs Monate nach dem Austausch der Ratifikationen des letzteren der japanische Generaltarif Geltung erlangen, mit der Massgabe jedoch, dass dieser Generaltarif sowie etwaige spätere Abänderungen desselben sechs Monate zuvor bekannt gemacht sein müssen, ehe sie auf die deutsche Einfuhr in Japan zur Anwendung gebracht werden dürfen.

Sobald und soweit die vorgenannten Tarife Geltung erlangen, soll der jetzt

in Japan für deutsche Güter und Waaren geltende Tarif seine Wirksamkeit verlieren.

In allen anderen Beziehungen sollen die Bestimmungen des bestehenden Vertrages und der dazu nachträglich getroffenen Vereinbarungen bedingungslos bis zum Inkrafttreten des heute unterzeichneten Handels- und Schifffahrtsvertrages in Wirksamkeit bleiben.

4. ZU ARTIKEL XVII.

Es besteht Einverständniss darüber, dass in jedem der beiden vertragschliessenden Länder den Angehörigen des anderen Theiles der Schutz von Erfindungen, von Mustern (einschliesslich der Gebrauchsmuster) und Modellen, von Handels- und Fabrikmarken, von Firmen und Namen dann gewährt werden muss, wenn die hierfür vom Gesetz vorgesehenen Bedingungen erfüllt sind.

Übrigens behalten sich die vertragschliessenden Theile den Abschluss eines besonderen Vertrages über die gegenseitigen Beziehungen auf dem Gebiete des Patent-, Muster- und Markenschutzes vor und werden seinerzeit in entsprechende Verhandlung eintreten.

Ferner erklärt die japanische Regierung, dass sie, bevor die deutsche Konsulargerichtsbarkeit in Japan in Wegfall kommt, der internationalen Berner Konvention, betreffend das Urheberrecht (geistiges Eigenthum), beitreten werde.

5. ZU ARTIKEL XX.

Es besteht Einverständniss darüber, dass trotz des mit dem vollen Inkrafttreten des heute unterzeichneten Handels- und Schifffahrtsvertrages an sich eintretenden Wegfalls der in Japan ausgeübten Gerichtsbarkeit deutscher Gerichtsbehörden dennoch diese Gerichtsbarkeit bezüglich aller Angelegenheiten, welche zur Zeit des vollen Inkrafttretens des Vertrages bereits rechtshängig sind, bis zur endgültigen Entscheidung fortdauern soll.

Die unterzeichneten Bevollmächtigen sind übereingekommen, dass dieses Protokoll den beiden vertragschliessenden Theilen zugleich mit dem heute unterzeichneten Handels- und Schifffahrtsvertrag vorgelegt werden soll, und dass, wenn der genannte Vertrag ratifizirt wird, die in dem Protokoll enthaltenen Vereinbarungen in gleicher Weise als genehmigt angesehen werden sollen, ohne dass es einer weiteren förmlichen Ratifikation bedarf. (12)

Auch wird vereinbart, dass die Bestimmungen dieses Protokolls zu gleicher

Zeit mit dem Aufhören der Wirksamkeit des genannten Vertrages ausser Kraft treten.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten dasselbe unterzeichnet und ihre Siegel beigedrückt. (12)

So geschehen zu Berlin in doppelter Ausfertigung am 4. April 1896.

[L. S.] VICOMTE AOKI.
[L. S.] FREIHERR VON MARSCHALL.

ANLAGE.

TARIF.

ZÖLLE BEI DER EINFUHR IN JAPAN.

Laufende Nummer.	GEGENSTÄNDE.	Werthzölle Procent.
	Baumwollene Gewebe:	
1	Sammet und sammetartige Gewebe (velvet, velvetteens) ...	10
2	Baumwollene Gewebe aller Art, in diesem Tarif nicht anderweitig aufgeführt, rein oder gemischt mit Flachs, Hanf oder anderen Spinnstoffen, einschliesslich Wolle, die Baumwolle jedoch vorherrschend	10
3	Blei, roh, in Blöcken und Tafeln:	5
	Chemikalien und Medizinalwaaren:	
4	Amorpher Phosphor	10
5	Basisch-salpetersaures Wismuth-Oxyd (subnitrate of bismuth	10
6	Bromverbindungen (bromide)	10
7	Chinin	8
8	Chlorsaures Kali	10
9	Dynamit	10
10	Jodkalium	10
11	Kalisalpeter	5
12	Salicylsäure	10
	Draht:	
13	Telegraphendraht	5
14	Eisen und Stahldraht, sowie schwache Stäbe aus Eisen oder Stahl, von nicht mehr als ¼ Zoll englisch in Durchmesser	10

Laufende Nummer.	GEGENSTÄNDE.	Werthzölle Procent.
	Eisen und Stahl :	
15	Roh und Ingots	5
16	Schienen	5
	Stangen, Stäbe, Platten und Bleche :	
17	aus Eisen	7½
18	aus Stahl	7½
19	Galvanisirtes Blech, sowohl glattes als Wellblech ...	10
20	Verzinntes Blech	10
21	Röhren	10
22	Eisenbahn-Personenwagen, sowie Theile davon	5
23	Eiserne Nägel, auch Drahtstifte	10
24	Eiserne Schrauben, Bolzen und Muttern, auch galvanisirt.	10
	Fensterglas, gewöhnliches :	
25	nicht gefärbt und nicht bunt	8
26	gefärbt, bunt oder geschliffen	10
	Farben und Farbwaaren :	
27	Anilinfarben	10
28	Alizarinfarben	10
29	Blauholzextract	10
30	Oelfarbe...	10
	Garne :	
31	aus Baumwolle	8
32	aus Leinen, Hanf oder Jute für Webezwecke	8
	aus Wolle, auch Kammwolle	
33	für Webezwecke	8
34	für andere Zwecke	8
35	Garne aller Art, in diesem Tarif nicht anderweitig aufgeführt	10
36	Halbseidener Atlas, aus Baumwolle mit obenliegender Seide (silk faced cotton satins.)	10
37	Hopfen...	5
38	Hüte, einschliesslich Filzhüte	10
39	Kautschukwaaren	10
40	Leinene Gewebe	10
	Leder :	
41	Sohlleder	15
42	anderes	10
43	Lokomotiven, sowie Theile dovon	5
	Milch :	
44	kondensirt oder eingedampft	5
45	sterilisirt	5
46	Papier aller Art	10

Laufende Nummer.	GEGENSTÄNDE.	Werthzölle Procent.
47	Paraffinöl	10
48	Paraffinwachs	5
49	Portlandcement	5
50	Uhren, mit Ausnahme von Taschenuhren, sowie Theile davon	10
	Wollene, auch kammwollene Gewebe aller Art, rein oder gemischt mit anderen Material, die Wolle jedoch vorherrschend:	
51	Decken	10
52	Flanell	10
53	Musselin	10
54	Tuch	10
55	Zanella (italian Cloth)...	10
56	andere Gewebe	10
	Zink :	
57	in Mulden, Blöcken und Tafeln	5
58	in Blechen	$7_{\frac{1}{2}}$
59	Zucker, raffinirt	10

VORSCHRIFT FÜR DIE BERECHNUNG DER WERTZÖLLE.

Die nach diesem Tarif zu zahlenden Werthzölle sollen berechnet werden von dem wirklichen Preise der Gegenstände an dem Kauf-, Erzeugungs- oder Fabrikationsplatze unter Zuschlag der Kosten für Versicherung und Transport vom Kauf-, Erzeugungs- oder Fabrikationsplatze bis zum Landungshafen, sowie eventuell der Kommissionsspesen. (I5)

Berlin, den 30. März 1896.

Indem die Kaiserlich Deutsche Regierung für den Fall, dass im Übrigen eine Einigung über den neu abzuschliessenden Handels- und Schifffahrtsvertrag zwischen dem Deutschen Reich und Japan erzielt wird, sich bereit gezeigt hat, auf die gegenwärtig in Japan ausgeübte Konsulargerichtsbarkeit vom Zeitpunkt des Inkrafttretens des neuen Vertrages ab zu verzichten, geht sie von der Voraus-

setzung aus, dass dieser Verzicht erst mit dem Wegfall der Konsulargerichtsbarkeit für alle übrigen fremden Mächte Wirksamkeit erlangt.

Der Unterzeichnete hält sich für verpflichtet, dem ausserordentlichen Gesandten und bevollmächtigten Minister Seiner Majestät des Kaisers von Japan, Herrn Vicomte Aoki, über diese Auffassung keinen Zweifel zu lassen, und verbindet damit die Bitte, ihm den Empfang dieser Note bestätigen zu wollen.

Zugleich benutzt der Unterzeichnete diese Gelegenheit, um Herrn Vicomte Aoki die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern. (20)

MARSCHALL.

An den ausserordentlichen Gesandten
und bevollmächtigten Minister
Seiner Majestät des Kaisers von Japan,
HERRN VICOMTE AOKI,
etc. etc.

Berlin, den 31. März 1896.

Der Unterzeichnete beehrt sich, Seiner Excellenz dem Staatssekretär des Auswärtigen Amtes, Herrn Staatsminister Freiherrn Marschall von Bieberstein, hierdurch ganz ergebenst mitzutheilen, dass er die unter dem 30. d. Mts. an ihn gerichtete Note $\left(\frac{\text{II, } 8091}{\text{I, } 7335.}\right)$ erhalten hat

Zugleich benutzt der Unterzeichnete auch diesen Anlass, um seiner Excellenz dem Herrn Staatssekretär die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern. (20)

AOKI.

Seiner Excellenz
dem Staatssekretär des
Auswärtigen Amtes, Herrn Staatsminister,
FREIHERRN MARSCHALL VON BIEBERSTEIN.

Berlin, den 31. März 1896.

Der unterzeichnete ausserordentliche Gesandte und bevollmächtigte Minister Seiner Majestät des Kaisers von Japan beehrt sich in Gemässheit der ihm von seiner Regierung ertheilten Informationen Seiner Excellenz dem Staatsminister, Staatssekretär des Auswärtigen Amtes des Deutschen Reichs, Herrn Freiherrn Marschall von Bieberstein, behufs Beseitigung eines bei den Verhandlungen über den Abschluss eines neuen Japanisch-Deutschen Handels- und Schifffahrtsvertrages hervorgetretenen Zweifels, mitzutheilen, dass nach den geltenden Japanischen Gesetzen eine nach Japanischem Recht gebildete Handelsgesellschaft unter ihrer Firma auch dann Grundeigenthum in Japan erwerben und besitzen darf, wenn an ihr Deutsche Reichsangehörige als Mitglieder betheiligt sind.

Der Unterzeichnete benutzt auch diesen Anlass, um Seiner Excellenz dem Herrn Freiherrn von Marschall die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern, (21)

AOKI.

An Seine Excellenz den Staatsminister,

Staatssekretär des Auswärtigen Amtes des Deutschen Reiches,

HERRN FREIHERRN MARSCHALL VON BIEBERSTEIN.

Berlin, den 31. März 1896.

Im Hinblick darauf, dass der Unterzeichnete, ausserordenltlicher Gesandter und bevollmächtigter Minister Seiner Majestät des Kaisers von Japan, auf dem Punkte steht, den zwischen Japan und Deutschem Reiche vereinbarten neuen Vertrag zu unterzeichnen, drängt sich ihm zuvor noch der Wunsch auf, in Erfahrung zu bringen, ob die Kaiserlich Deutsche Regierung den am 24. Januar 1861 zwischen Japan und Preussen abgeschlossenen Freundschafts- und Schifffahrtsvertrag durch denjenigen, welcher am 20. Februar 1896 zwischen Japan einerseits und dem Norddeutschen Bunde sowie den zu diesem Bund

nicht gehörigen Mitgliedern des deutschen Zoll-und Handelsvereins andererseits vereinbart ist, und von dessen Ausserkraftsetzung allein in dem Artikel XX des neuen Vertrages die Rede ist, als aufgehoben betrachtet.

Demgemäss gestattet sich der Unterzeichnete Seine Excellenz den Herrn Staatsminister, Staatssekretär des Auswärtigen Amtes des Deutschen Reiches, Freiherrn Marschall von Bieberstein, hierdurch ganz ergebenst zu ersuchen, ihm geneigtest eine diesbezügliche Rückäusserung zugehen zu lassen.

Zugleich benutzt der Unterzeichnete auch diesen Anlass, um Seiner Excellenz dem Herrn Freiherrn Marschall von Bieberstein die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern, (22)

AOKI.

Seiner Excellenz dem Staatsminister,

Staatssekretär des Auswärtigen Amtes des Deutschen Reichs,

HERRN FREIHERRN MARSCHALL VON BIEBERSTEIN.

Berlin, den 2. April 1896.

Der unterzeichnete Staatsminister, Staatssekretär des Auswärtigen Amtes des Deutschen Reiches, beehrt sich dem ausserordentlichen Gesandten und bevollmächtigten Minister Seiner Majestät des Kaisers von Japan, Herrn Vicomte Aoki, in Erwiderung auf die gefällige Note vom 31. v. Mts, ergebenst mitzutheilen, dass nach Auffassung der Kaiserlich Deutschen Regierung der Freundschafts- Handels- und Schifffahrtsvertrag zwischen Preussen und Japan von 24. Januar 1861 seiner Zeit durch den Freundschafts-, Handels- und Schifffahrtsvertrag, welcher am 20. Februar 1869 zwischen dem Norddeutschen Bunde und den zu diesem Bunde nicht gehörenden Mitgliedern des Deutschen Zoll- u. Handelsvereins einerseits und Japan andererseits abgeschlossen wurde, in allen seinen Theilen aufgehoben worden ist, so dass es seiner Erwähnung im Artikel XX des jetzt vereinbarten neuen Handels- und Schifffahrtsvertrages zwischen dem Deutschen Reich und Japan nicht bedarf.

Zugleich benutzt der Unterzeichnete diesen Anlass, um Herrn Vicomte Aoki die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern. (23)

MARSCHALL.

An den ausserordentlichen Gesandten
und bevollmächtigten Minister
Seiner Majestät des Kaisers von Japan,
HERRN VICOMTE AOKI.

Berlin, den 4. April 1896.

Im Begriff, zur Unterzeichnung des vereinbarten Handels- und Schifffahrtsvertrages zwischen dem Deutschen Reich und Japan zu schreiten, hält es der unterzeichnete Staatsminister, Staatssekretär des Auswärtigen Amtes des Deutschen Reiches für wünschenswerth, noch einige, bereits im Laufe der Verhandlungen erörterte Punkte ausser Zweifel zu stellen, indem er folgenden Voraussetzungen Ausdruck giebt, nämlich :

1. dass, wenn auch den Fremden in Japan nach den zur Zeit dort geltenden Gesetzen der Erwerb des Eigenthums an Grundstücken noch versagt ist, hierdurch die Befugniss der deutschen Reichsangehörigen nicht berührt wird, daselbst, zur Erreichung der in Artikel I und III des Vertrages angegebenen Zwecke, gleich den Inländern und nach Massgabe der jeweiligen landesgesetzlichen Bestimmungen emphiteutische, superfiziarische und sonstige dingliche Rechte an Grundstücken zu erwerben und persönlichen Mieths- oder Pachtrechten an Grundstücken durch Eintragung in die hierfür bestimmten Register den Karakter dinglicher Rechte zu verschaffen ;
2. dass die Kaiserlich Japanische Regierung darauf Bedacht nehmen wird, in allen für den Handel besonders wichtigen Plätzen ihres Landes, den Bedürfnissen des Verkehrs entsprechend, Waarenhäuser und zollfreie Niederlagen zu errichten ;
3. dass, da das Eigenthum an den im Artikel XVIII des Vertrages

erwähnten Niederlassungsgrundstücken dem japanischen Staate verbleibt, die Besitzer oder deren Rechtsnachfolger für ihre Grundstücke ausser dem kontraktmässigen Grundzins Abgaben oder Steuern irgend welcher Art nicht zu entrichten haben werden ;

4. dass die vor oder unter der Herrschaft des Vertrages wohl erworbenen Rechte der Angehörigen des einen Theiles in den Gebieten des anderen Theiles auch nach Ablauf des Vertrages unverändert bestehen bleiben.

Indem der Unterzeichnete einer gefälligen Äusserung des ausserordentlichen Gesandten und bevollmächtigten Ministers Seiner Majestät des Kaisers von Japan, Herrn Vicomte Aoki, darüber entgegensehen darf, ob die vorbezeichneten Voraussetzungen zutreffen, würde er es zugleich mit verbindlichstem Dank erkennen, darüber unterrichtet zu werden, welchen Zeitpunkt die Kaiserlich Japanische Regierung für die im ersten Absatz des Artikels XXI vorgesehene Anzeige in Aussicht genommen hat.

Der Unterzeichnete benutzt auch diesen Anlass, um Herrn Vicomte Aoki die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern. (23)

FREIHERR VON MARSCHALL.

An
den ausserordentlichen Gesandten
und bevollmächtigten Minister
Seiner Majestät des Kaisers von Japan,
HERRN VICOMTE AOKI
etc. etc. etc.

Berlin, den 4. April 1896.

Der unterzeichnete ausserordentliche Gesandte und bevollmächtigte Minister Seiner Majestät des Kaisers von Japan beehrt sich Seiner Excellenz dem Staatsminister, Staatssekretär des Auswärtigen Amtes des Deutschen Reiches, Herrn Freiherrn Marschall von Bieberstein, auf die Note vom heutigen Tage zu erwidern, dass die darin unter Nummer 1 bis 4 zum Ausdruck gebrachten

Voraussetzungen, welche den Erwerb dinglicher Rechte an Grundstücken, die Errichtung von Waarenhäusern, die Sicherheit der Grundstücke in den Fremdenniederlassungen und die Erhaltung wohlerworbener Rechte nach Ablauf des Vertrages zum Gegenstande haben, in allen Punkten zutreffend sind.

Gleichzeitig unterlässt der Unterzeichnete nicht, kraft besonderer Ermächtigung der Kaiserlich Japanischen Regierung, mit Rücksicht auf die entsprechende Anfrage des Herrn Freiherrn von Marschall, Folgendes mitzutheilen :

Die Kaiserlich Japanische Regierung hält es für wünschenswerth, dass die Gesetzbücher des Japanischen Reiches thatsächlich in Wirksamkeit sind, sobald das zwischen Japan und Deutschland gegenwärtig bestehende Vertragsverhältniss seine Geltung verliert ; sie verpflichtet sich deshalb, die im ersten Absatz des Artikels XXI des Vertrages vorgesehene Anzeige nicht eher zu machen, als bis diejenigen Theile der genannten Gesetzbücher, welche sich jetzt noch in Vorbereitung befinden, in Kraft gesetzt sein werden.

Der Unterzeichnete benutzt auch diesen Anlass, um Seiner Excellenz dem Herrn Freiherrn von Marschall die Versicherung seiner ausgezeichnetsten Hochachtung zu erneuern. (25)

VICOMTE AOKI.

An

Seine Excellenz den Staatsminister, Staatssekretär des
Auswärtigen Amtes des Deutschen Reiches,
HERRN FREIHERRN MARSCHALL VON BIEBERSTEIN
etc. etc. etc.

SUPPLEMENTARY CONVENTION

Signed at Tokio, 26th day of 12th month, 31st year of Meiji (1898); *Promulgated 29th day of 12th month, 31st year of Meiji* (1898).

The Government of His Majesty the Emperor of Japan and the Government of His Majesty the German Emperor, King of Prussia, in fulfilment of the second paragraph of section 3 of the Protocol annexed to the Treaty of Commerce and Navigation, concluded between Japan and Germany, at Berlin, on the 4th of April, 1896, have agreed as follows:

1. The Tariff annexed to this Convention shall be substituted for the *ad valorem* Tariff annexed to the aforesaid Protocol of the 4th of April, 1896. It shall be subject to all the stipulations contained in section 3 of said Protocol in so far as these are applicable, and it shall come into force on the 1st day of the 1st month of the 32nd year of Meiji, corresponding to the 1st of January, 1899. (26)

2. The present Convention shall have the same duration as the Treaty and protocol of the 4th of April, 1896, to which it is complementary. (26)

In witness whereof, the undersigned Viscount Aoki Siuzo, His Imperial Japanese Majesty's Minister of State for Foreign Affairs and Count Casimir von Leyden, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the German Emperor, King of Prussia, having been duly authorized to this effect, have signed the present Convention and have affixed thereto their seals.

Done, in duplicate, at Tokio, this 26th day of the 12th month of the 31st year of Meiji, corresponding to the 26th of December, 1898.

Vicomte Aoki. [L. S.] Graf von Leyden. [L. S.]

ANNEX. (TARIFF)

No.	ARTICLES,		DUTY.
			Yen
	Cotton tissues :—		
1	Velvets and Velveteens	Sq. Yard	0.041
2	Cotton tissues of all kinds, not otherwise mentioned in this Tariff, pure cotton or mixed with flax, hemp or other spinning material including wool, the cotton, however, predominating :—		
	Drills	do.	0.016
	Duck...	do.	0.053
	Handkerchief in the piece	do.	0.011
	Prints	do.	0.012
	Satins, plain, figured or printed, brocades, Italians and figured shirtings	do.	0.017
	Shirtings, dyed	do.	0.013
	Shirtings, gray...	do.	0.006
	Shirtings, twilled	do.	0.011
	Shirtings, white or bleached	do.	0.010
	T-cloths	do.	0.009
	Turkey red combrics	do.	0.012
	Victoria lawns	do.	0.006
	All other sorts of pure cotton-tissues, and all tissues of cotton mixed with flax, hemp or other fibres, including wool, the cotton, however, predominating in weight, not specially provided for in this Tariff ...	*ad valorem*	10 per cent.
	NOTE.—*It is expressly understood that ready-made clothing and other made-up articles are not included under the heading of Cotton Tissues.*		
3	Lead, pig, ingot and slab	100 Catties	0.316
	Chemicals and Drugs :—		
4	Amorphous phosphorus	Catty	0.165
5	Subnitrate of bismuth	do.	0.206
6	Bromide :—		
	a) of potash	do.	0.093
	b) all other kinds	*ad valorem*	10 per cent.
7	Quinine	do.	8 per cent.
8	Chlorate of potash	100 Catties	2.267
9	Dynamite	Catty	0.056

No.	ARTICLES.		DUTY.
			Yen
10	Iodide of potash	*ad valorem*	10 per cent.
11	Nitrate of potash (Saltpetre)	100 Catties	0.490
12	Salicylic acid	*ad valorem*	10 per cent.
	Wire :—		
13	Telegraph wire :—		
	a) telegraph or galvanized wire of iron or mild steel	100 Catties	0.256
	b) all other telegraph wire	*ad valorem*	5 per cent.
14	Other than Telegraph wire :—		
	a) iron and mild steel wire, and small rod of iron and mild steel not exceeding 1/4 inch in diameter	100 Catties	0.503
	b) steel (other than mild steel) wire, and small rod of steel (other than mild steel) not exceeding 1/4 inch in diameter ...	100 Catties	1.819
	NOTE.—*By the term "mild steel" as used in this Tariff is understood mild steel manufactured by the Siemens, Bessemer, Basic or similar processes, and approximating in value to iron of the same class in this Tariff.*		
	Iron, mild steel and steel :—		
15	Pig and ingot :—		
	a) of iron and mild steel	100 Catties	0.083
	b) of steel (other than mild steel) ...	*ad valorem*	5 per cent.
16	Rails :—		
	a) of iron and mild steel	100 Catties	0.129
	b) of steel (other than mild steel) ...	*ad valorem*	5 per cent.
	Bars, rods, plates and sheets :—		
17	of iron and mild steel :—		
	a) bar and rod, exceeding 1/4 inch in diameter...	100 Catties	0.261
	b) plate and sheet	do.	0.296
18	of steel (other than mild steel)	*ad valorem*	7 1/2 per cent.
19	Sheet, galvanized, both plain and corrugated :—		
	a) of iron and mild steel	100 Catties	0.740
	b) of steel (other than mild steel) ...	*ad valorem*	10 per cent.
20	Tinned plates :—		
	of iron and mild steel :—		
	a) ordinary	100 Catties	0.691
	b) crystallized	*ad valorem*	10 per cent.
	of steel (other than mild steel)	do.	10 per cent.
21	Pipes and tubes	do.	10 per cent.

No.	ARTICLES.		DUTY.
			Yen
22	Railway carriage for passengers, and parts thereof	do.	5 per cent.
23	Iron and mild steel nails, also wire nails, including spikes, sprigs, tacks and brads :—		
	a) plain	100 Catties	0.573
	b) galvanized	*ad valorem*	10 per cent.
24	Iron and mild steel screws, bolts and nuts, plain and galvanized	*ad valorem*	10 per cent.
	Window-glass, ordinary :—		
25	Uncoloured and unstained	100 Sq. Ft.	0.302
26	Coloured, stained, and ground	*ad valorem*	10 per cent.
	Dyes, dye-stuffs and paints :—		
27	Aniline dyes	*ad valorem*	10 per cent.
28	Alizarine dyes	do.	10 per cent.
29	Logwood extract	do.	10 per cent.
30	Paint in oil...	100 Catties	1.304
	Yarns, plain or dyed :—		
31	of cotton	do.	4.180
32	*a*) of linen, for weaving purposes ...	do.	6.527
	b) of hemp or jute, for weaving purposes ...	*ad valorem*	8 per cent.
	of wool, also combed or worsted :—		
33	for weaving purposes	100 Catties	8.000
34	for other purposes	do.	9.169
	NOTE *to Nos.* 31, 32, 33, *and* 34.—*It is expressly understood that all mixed yarns of cotton, linen, hemp, jute or wool (either combed or worsted) are to be classed for duty according to the material predominating in weight.*		
35	Yarns, all sorts, not specially provided for in this Tariff	*ad valorem*	10 per cent.
36	Silk faced cotton satins	do.	10 per cent.
37	Hops	Catty	0.029
38	Hats, including also hats of felt	*ad valorem*	10 per cent.
39	Caoutchouc, manufactures of	do.	10 per cent.
40	Linen tissues :—		
	Canvas	Sq. Yard	0.047
	All other sorts	*ad valorem*	10 per cent.
	NOTE.—*It is expressly understood that ready made clothing and other made-up articles are not included under the heading of Linen Tissues.*		

No.	ARTICLES.		DUTY.
			Yen
	Leather :—		
41	Sole...	100 Catties	5.690
42	Other kinds	*ad valorem*	10 per cent.
43	Locomotive Engines, and parts thereof ...	do.	5 per cent.
	Milk :—		
44	Condensed or desiccated	doz. 1 lb tins and proportionately for tins of other weights.	0.123
45	Sterilized	*ad valorem*	5 per cent.
46	Paper of all kinds :—		
	a) printing paper :		
	1. weighing not more than 24 lbs. per ream of 500 sheets and measuring not less than 1086 square inches per sheet	100 Catties	0.800
	2. all other kinds of printing paper ...	do.	1.163
	b) all other kinds of paper...	*ad valorem*	10 per cent.
47	Oil, paraffin...	do.	10 per cent.
48	Wax, paraffin	100 Catties	0.544
49	Cement, Portland	do.	0.065
50	Clocks, excepting watches, and parts of clocks...	*ad valorem*	10 per cent.
	Woollen and worsted tissues of all kinds, pure or mixed with other material, wool, however, predominating :—		
51	Blanketing and whipped blankets, in plain weave	100 Catties	7.458
52	Flannels :—		
	a) all wool	Sq. Yard	0.044
	b) wool and cotton mixture...	do.	0.030
53	Mousselines de laine :—		
	a) écrues and blanc d'impression	Sq. Yard	0.018
	b) all other kinds	do.	0.021
54	Cloth :—		
	a) wholly of woollen or worsted yarn, or of woollen and worsted yarns, such as broad, narrow and army cloth cassimeres, tweeds and worsted coatings	do.	0.093
	b) In part of woollen or worsted yarn and in part of cotton yarn, such as pilot, president and union cloth	do.	0.039
55	Italian cloth, including also Italian cloth in which cotton prenominates in weight ...	Sq. Yard	0.029

No.	ARTICLES.		DUTY.
			Yen
56	Other tissues :—		
	Alpacas...	do.	0.075
	Buntings	do.	0.031
	Longells	do.	0.036
	Serges :—		
	a) where the warp is worsted and the weft woollen	do.	0.056
	b) all other kinds	*ad valorem*	10 per cent.
	All other sorts, pure or mixed with other material, the wool, however, predominating in weight, not specially provided for in this Tariff	*ad valorem*	10 per cent.
	NOTE.—*It is expressly understood that ready-made clothing and other made-up articles are not included under the heading of Woollen and Worsted Tissues.*		
	Zinc :—		
57	Block, pig and slab or plates	100 Catties	0.400
58	Sheet	do.	0.830
59	Sugar, refined :—		
	a) No. 15 to No. 20, inclusive, Dutch standard in colour	do.	0.748
	b) above No. 20, Dutch standard in colour...	do.	0.827

WEIGHTS AND MEASURES.

The catty mentioned in this Tariff is the Japanese weight. It is equal to 600 grammes of the metric system of weights, or 1.32277 lbs. English avoirdupois weight.

The pound is the English avoirdupois weight.

The square yard, square foot and square inch are the English Imperial surface measures.

RULE FOR CALCULATING *AD VALOREM* DUTIES.

Import duties payable *ad valorem* under this Tariff shall be calculated on the actual cost of the articles at the place of purchase, production or fabrication,

with the addition of the cost of insurance and transportation from the place of purchase, production or fabrication, to the port of discharge, as well as commission, if any exists.

RULE FOR THE MEASUREMENT OF TISSUES.

In determining the dutiable width of any Tissue the Customs shall discard all fractions of an inch not exceeding half an inch, and shall count as a full inch all fractions exceeding half an inch.

Note.—It is understood that selvedges shall not be included in the measurement.

PROTOCOL.

The undersigned simultaneously with the Supplementary Convention signed this day have agreed upon the following stipulations :—

1. With regard to the *yen* mentioned in the Tariff annexed to the aforesaid Supplementary Convention it is understood that whatever rights belong or may belong to Great Britain in virtue of the description of the *yen* appended to the Tariff of the Anglo-Japanese Supplementary Convention dated the 16th day of the 7th month of the 28th year of Meiji shall be equally extended to Germany. The Government of His Majesty the Emperor of Japan, however, wish it understood, that this declaration creates no inference as to the existence in favour of Great Britain of any rights in the direction indicated.

2. Respecting the question of Certificates of Origin and the Legalization of Invoices it is understood, that the words "other proper authortities" appearing in Article II. of the Japanese Imperial Ordinance No. 485 dated the 27th day of the 10th month of the 30th year of Meiji, corresponding to the 27th of October, 1897, are held to include German Police Officers, in the absence of competent Japanese Consular Authorities, and that the term "Competent Japanese Consular Authorities" does not include Japanese Honorary Consuls. The Government of His Majesty the Emperor of Japan will take the necessary measures to extend to the Germen Chambers of Commerce the same competence under like circumstances as is possessed by German Police Officers.

The Government of His Majesty the Emperor of Japan engage that, under the new Tariffs, all imports of a dutiable value not exceeding *yen* 100 shall be exempt from any obligation of being accompanied by legalized invoices.

The undersigned have agreed that the stipulations contained in this Protocol shall have the same binding force and the same duration as the Supplementary Convention signed this day.

In witness whereof, the undersigned have signed the same and have affixed thereto their seals.

Done, in duplicate, at Tokio, this 26th day of the 12th month of the 31st year of Meiji, corresponding to the 26th December, 1898.

Vicomte Aoki. (L. S.) Graf von Leyden. (L. S.)

KONSULARVERTRAG

Unterzeichnet in Berlin am 4. Tag des 4. Monats des 29. Jahres Meidji (1896); ratificirt am 26. Tag des 8. Monats desselben Jahres; ausgetauscht in Berlin am 18. Tag des 11. Monats desselben Jahres; veröffentlicht am 19. Tag des 11. Monats desselben Jahres.

Seine Majestät der Kaiser von Japan und seine Majestät der Deutsche Kaiser, König von Preussen, im Namen des Deutschen Reichs, von dem gleichen Wunsche geleitet, über die wechselseitige Zulassung von Konsularbeamten und über die Befugnisse, Vorrechte und Befreiungen, welche diese Beamten in Japan und Deutschland bei Ausübung ihrer Amtsverrichtungen geniessen sollen, genauere Bestimmungen zu treffen, haben beschlossen, einen Konsularvertrag abzuschliessen, und haben zu diesem Zweck zu Ihren Bevollmächtigten ernannt, nämlich:

Seine Majestät der Kaiser von Japan:

Allerhöchstihren ausserordentlichen Gesandten und bevollmächtigten Minister bei Seiner Majestät dem Deutschen Kaiser, König von Preussen, Herrn Vicomte Siuzo Aoki, und

Seine Majestät der Deutsche Kaiser, König von Preussen:

Allerhöchstihren Staatsminister, Staatssekretär des Auswärtigen Amtes, Herrn Adolf Freiherrn Marschall von Bieberstein,

welche nach gegenseitiger Mittheilung ihrer in guter und gehöriger Form befundenen Vollmachten die nachstehenden Artikel vereinbart und festgestellt haben:

ARTIKEL I.

Jeder der vertragschliessenden Theile kann Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten in allen Häfen, Städten und Plätzen des anderen Theils bestellen, mit Ausnahme derjenigen Orte, wo es nicht angemessen erscheinen sollte, solche Beamte anzuerkennen. Dieser Vorbehalt soll jedoch auf keinen der vertragschliessenden Theile angewendet werden, ohne jeder anderen Macht gegenüber ebenfalls Anwendung zu finden.

Die beiderseitigen Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten, ingleichen die Konsulatskanzler, Sekretäre, Büreaubeamten und Attaches

sollen in beiden Ländern alle Vorrechte, Immunitäten und Privilegien geniessen, welche den Beamten desselben Ranges der meistbegünstigten Nation bewilligt sind oder in Zukunft bewilligt werden. (38)

ARTIKEL II.

Die Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten sollen nach Vorlegung ihrer mit Beobachtung der in ihren bezüglichen Ländern bestehenden Förmlichkeiten ausgefertigten Bestallung gegenseitig zugelassen und anerkannt werden. Das erforderliche Exequatur soll ihnen kostenfrei ertheilt werden, und alsdann sollen sie die gegenseitig zugesicherten Rechte, Vorrechte und Immunitäten geniessen.

Bei Vorlegung der Bestallung soll gleichzeitig eine Mittheilung über den dem Konsularbeamten zugewiesenen Amtsbezirk gemacht werden; etwaige spätere Veränderungen des Amtsbezirks sollen gleichfalls mitgetheilt werden.

Die das Exequatur ertheilende Regierung soll zur Zurücknahme desselben befugt sein unter Darlegung der Gründe, aus denen sie für angemessen erachtet hat, so zu handeln. (38)

ARTIKEL III.

Konsularbeamte, welche Angehörige desjenigen vertragschliessenden Theiles sind, der sie ernannt hat, sollen frei von Verhaftung oder Gefangenhaltung in bürgerlichen Rechtsstreitigkeiten und von Untersuchungshaft in Strafsachen sein, ausgenommen in Fällen strafbarer Handlungen, welche nach der Landesgesetzgebung als Verbrechen angesehen werden. Sie sollen ferner befreit von Militäreinquartierung und Kontributionen sein, und vorausgesetzt, dass sie nicht Handel, Industrie oder ein anderes Gewerbe, beziehungsweise eine ausseramtliche Erwerbsthätigkeit betreiben, sollen sie auch von persönlichen oder Luxusabgaben und von allen Leistungen und Beiträgen befreit sein, welche einen direkten oder persönlichen Karakter haben. Diese Befreiung soll sich dagegen nicht auf Zölle, Verbrauchssteuern, örtliche Verzehrungsabgaben oder auf Auflagen hnsichtlich Grundeigenthums erstrecken, das sie etwa in dem Lande ihres Amtssitzes erwerben oder besitzen.

Konsularbeamte, welche kaufmünnische Geschäfte betreiben, sollen sich nicht auf ihre Konsularvorrechte berufen dürfen, um sich kaufmännischen Verbindlichkeiten zn entziehen.

Im Falle der Verhaftung eines Konsuls oder Konsularbeamten soll die Gesandtschaft seines Landes hiervon sofort durch die Regierung desjenigen Landes, in welchem die Verhaftung stattgefunden hat, in Kenntniss gesetzt werden. (39)

ARTIKEL IV.

Die Generalkonsuln, Konsuln und ihre Kanzler oder Sekretäre sowie die Vizekonsuln und Konsularagenten sind verbunden, vor Gericht Zeugniss abzulegen, wenn die Landesgerichte solches für erforderlich halten. Doch soll die Gerichtsbehörde in diesem Falle sie mittelst amtlichen Schreibens ersuchen, vor ihr zu erscheinen.

Für den Fall der Behinderung der gedachten Beamten durch Dienstgeschäfte oder Krankheit soll, jedoch nur in bürgerlichen Rechtsstreitigkeiten, die Gerichtsbehörde sich in ihre Wohnung begeben, um sie mündlich zu vernehmen, oder unter Beobachtung der einem jeden der beiden Länder eigenthümlichen Förmlichkeiten ihr schriftliches Zeugniss verlangen. Die gedachten Beamten haben dem Verlangen der Behörde in der ihnen bezeichneten Frist zu entsprechen und derselben ihre Aussage schriftlich, mit ihrer Unterschrift und ihrem amtlichen Siegel versehen, zuzustellen. (39)

ARTIKEL V.

Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten können über dem äusseren Eingange ihrer Amtsräume oder ihrer Wohnungen das Wappen ihrer Nation mit einer ihr Amt bezeichnenden Inschrift anbringen.

Sie dürfen auch die Flagge ihres Landes über dem Hause aufziehen, in dem sich das Konsularamt befindet. Desgleichen können sie ihre Flagge auf jedem Fahrzeuge aufziehen, dessen sie sich im Hafen in dienstlichen Angelegenheiten bedienen. (40)

ARTIKEL VI.

Die Konsulararchieve sollen jederzeit unverletzlich sein, und unter keinem Vorwande soll es den Landesbehörden erlaubt sein, die Papiere, welche zu diesen Archieven gehören, zu durchsuchen oder mit Beschlag zu belegen.

Betreibt ein Konsularbeamter nebenbei Geschäfte, so sollen die auf das

Konsulat bezüglichen Papiere unter besonderem Verschlusse, gesondert von den Privatpapieren, aufbewahrt werden.

Die Amtsräume und Wohnungen der Konsularbeamten, welche Angehörige des Landes sind, das sie ernannt hat, und nicht Handel, Industrie oder eine sonstige gewerbliche Thätigkeit nebenbei betreiben, sollen jederzeit unverletzlich sein.

Die Landesbehörden sollen, soweit es sich nicht um Verfolgung von Verbrechen handelt, unter keinem Vorwande dort eindringen. In keinem Falle dürfen sie die daselbst niedergelegten Papiere durchsuchen oder in Beschlag nehmen. Unter keinen Umständen jedoch dürfen die Amtsräume oder Wohnungen der Konsularbeamten als Asyl benutzt werden. (40)

ARTIKEL VII.

Im Falle des Todes, der Verhinderung oder Abwesenheit der Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten dürfen deren Kanzler oder Sekretäre, wenn ihr amtlicher Karakter zuvor zur Kenntniss der betreffenden Behörden in Deutschland oder in Japan gebracht worden ist, zeitweilig die Konsulargeschäfte wahrnehmen, und sie sollen während solcher Amtsführung die gleichen Rechte, Vorrechte und Immunitäten wie die von ihnen vertretenen Beamten geniessen, unter den für letztere geltenden Bedingungen und Vorbehalten. (40)

ARTIKEL VIII.

Die Generalkonsuln und Konsuln sollen mit Genehmigung ihrer Regierung und vorbehaltlich der Zustimmung der Landesregierung Konsulatsverweser als ihre Stellvertreter im Behinderungsfalle oder während zeitweiser Abwesenheit, sowie Konsularagenten in den Städten, Häfen und Plätzen innerhalb ihres Konsularbezirks bestellen dürfen.

Solche Konsulatsverweser oder Konsularagenten sollen von dem Konsul, der sie bestellt, oder von dessen Regierung mit einer Bestallung ausgestattet werden. Sie sollen die für die Konsularbeamten in diesem Vertrage vorgesehenen konsularischen Vorrechte geniessen, unter den für solche geltenden Ausnahmen und Vorbehalten. (41)

ARTIKEL IX.

Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten sollen das Recht haben, wegen Abhülfe irgend einer Verletzung der zwischen beiden Län-

dern bestehenden Verträge und Übereinkünfte oder des Völkerrechts sich an die in ihrem Amtsbezirk fungirenden Gerichts- oder Verwaltungsbehörden des bezüglichen Landes zu wenden, Auskunft von denselben zu verlangen und an dieselben Anträge zum Schutz der Rechte und Interessen ihrer Landsleute zu richten. Falls ein solches Ansuchen die gebührende Beachtung nicht findet, sollen die vorgedachten Konsularbeamten bei etwaiger Abwesenheit eines diplomatischen Vertreters ihres Landes sich unmittelbar an die Regierung des Landes, wo sie ihren Sitz haben, wenden dürfen. (41)

ARTIKEL X.

Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten der beiden Länder oder deren Kanzler sollen, soweit sie nach den Gesetzen und Verordnungen ihres Landes dazu befugt sind, folgende Rechte haben :

1. In ihren Amtsräumen oder an ihrem Amtssitze, an dem Wohnorte der Betheiligten oder an Bord der Nationalschiffe die Erklärungen der Schiffsführer, der Schiffsmannschaften, der Schiffspassagiere, von Kaufleuten oder sonstigen Angehörigen ihres Landes entgegenzunehmen.
2. Einseitige Rechtsgeschäfte und letztwillige Verfügungen ihrer Landsleute sowie Verträge, die zwischen Angehörigen ihres eigenen Landes beziehungsweise zwischen diesen und Angehörigen oder anderen Einwohnern des Landes ihres Amtssitzes geschlossen werden, aufzunehmen und zu beglaubigen ; desgleichen solche Verträge zwischen Personen der letzteren Kategorie, die sich auf ein im Gebiete der Nation, von welcher die gedachten Konsularbeamten bestellt sind, belegenes Grundeigenthum oder auf ein daselbst abzuschliessendes Geschäft beziehen.
3. Alle Schriftsücke, die von Behörden oder Beamten ihres Landes ausgegeangen sind, zu übersetzen und zu beglaubigen.

Alle solche Urkunden, sowie Abschriften, Auszüge und Uebersetzungen davon sollen, wenn sie von den gedachten Konsularbeamten gehörig beglaubigt und mit dem Amtssiegel des Konsulats versehen sind, in jedem der beiden Länder dieselbe Kraft und Geltung haben, als wenn sie vor einem öffentlichen Notar oder vor einem anderen öffentlichen oder gerichtlichen, in dem einen oder dem anderen der beiden Länder zuständigen Beamten aufgenommen oder beglaubigt wären, mit der Massgabe, dass sie dem Stempel und anderen in dem Lande, in

welchem sie zur Ausführung gelangen sollen, gesetzlich bestehenden Gebühren und Auflagen unterworfen sind. (41)

ARTIKEL XI.

Diplomatische Vertreter, Generalkonsuln, Konsuln und Vizekonsuln haben, soweit sie nach den Gesetzen des vertragschliessenden Theiles, welcher sie ernannt hat, dazu befugt sind, das Recht, Eheschliessungen von Angehörigen dieses Theiles nach Massgabe der Gesetze desselben vorzunehmen.

Diese Bestimmung findet nicht auf solche Eheschliessungen Anwendung, bei welchen einer der Verlobten Angehöriger desjenigen vertragschliessenden Theiles ist, in dessen Gebiet der betreffende Beamte seinen Sitz hat.

Von allen nach Massgabe der vorstehenden Bestimmungen vorgenommenen Eheschliessungen soll der betreffende Beamte den Landesbehörden alsbald Anzeige erstatten. (42)

ARTIKEL XII.

Diplomatische Vertreter, Generalkonsuln, Konsuln und Vizekonsuln sollen das Recht haben, in Gemässheit der Gesetze und Verordnungen des vertragschliessenden Theils, welcher sie ernannt hat, Geburten und Todesfälle von Angehörigen dieses Theiles zu beurkunden.

Die nach den Landesgesetzen bestehende Verpflichtung des Betheiligten, von Geburten und Todesfällen den Landesbehörden Anzeige zu machen, wird hierdurch nicht berührt. (42)

ARTIKEL XIII.

Die Generalkonsuln, Konsuln oder Vizekonsuln sollen Vormünder und Pfleger für ihre Landesangehörigen bestellen können, auch befugt sein, nach Massgabe der Gesetze ihres eigenen Landes die Führung der Vormundschaft oder Pflegschaft zu beaufsichtigen. (43)

ARTIKEL XIV.

Stirbt ein Angehöriger eines der vertragschliessenden Theile in dem Gebiete des anderen Theils, so sollen nachstehende Vorschriften beobachtet werden:

a. Im Falle, dass ein Japaner in Deutschland oder ein Deutscher in Japan in oder in der Nähe eines Ortes verstirbt, an welchem ein Generalkonsul, Konsul,

Vizekonsul, oder Konsularagent der Nation des Verstorbenen seinen Amtssitz hat, so sollen die Lokalbehörden hiervon dem Konsularbeamten unverzüglich Nachricht geben.

Erhält der Konsularbeamte zuerst von dem Todesfall Kenntniss, so soll er in gleicher Weise die Lokalbehörden mit Nachricht versehen.

Die Konsularbeamten sollen das Recht haben, von Amtswegen oder auf Antrag der betheiligten Parteien alle Effekten, Mobilien und Papiere des Verstorbenen unter Siegel zu legen, nachdem sie zuvor die zuständigen Lokalbehörden davon gebührend unterrichtet haben, denen das Recht zusteht, bei dem Vorgange zugegen zu sein und ihre Siegel gleichfalls anzulegen.

Die beiderseits angelegten Siegel dürfen ohne Mitwirkung der Lokalbehörden nicht abgenommen werden. Sollte jedoch die Lokalbehörde auf eine von den Konsularbeamten an sie ergangene Einladung, der Abnahme der beiderseits angelegten Siegel beizuwohnen, innerhalb acht und vierzig Stunden—vom Empfange der Einladung an gerechnet—sich nicht eingefunden haben, so können die Konsularbeamten allein zu der gedachten Amtshandlung schreiten. Nach Abnahme der Siegel sollen die gedachten Beamten ein Verzeichniss aller Habe und Effekten des Verstorbenen aufnehmen und zwar in Gegenwart der Lokalbehörde, wenn diese in Folge der vorerwähnten Einladung anwesend ist. Die Lokalbehörden sollen die in ihrer Gegenwart aufgenommenen Protokolle mitzeichnen, sie sind aber nicht befugt, für ihre amtliche Mitwirkung bei dieser Amtshandlung Gebühren irgend welcher Art zu beanspruchen.

b. Die zuständigen Lokalbehörden sollen die in dem Lande gebräuchlichen oder durch die Gesetze desselben vorgeschriebenen Bekanntmachungen bezüglich der Eröffnung des Nachlasses und des Aufrufs der Erben oder Gläubiger erlassen und diese Bekanntmachungen den Konsularbeamten mittheilen, ohne dadurch dem Bechte der letzteren auf Erlass gleichartiger Bekanntmachungen Abbruch zu thun.

c. Die Konsularbeamten können veranlassen, dass diejenigen beweglichen Gegenstände, deren Aufbewahrung in natürlichem Zustande mit erheblichen Kosten für die Nachlassmasse verbunden wäre, öffentlich in der durch Gesetz und Gebrauch des Landes vorgeschriebenen Weise versteigert werden.

d. Die Konsularbeamten sollen die inventarisirten Effekten und Werthgegenstände, den Betrag der eingegangenen Forderungen und Einkünfte, sowie den Erlös aus dem etwaigen Verkauf der Mobilien als ein den Landesgesetzen unter-

worfenes Depositum verwahren bis zum Ablauf einer Frist von zehn Monaten, von dem Tage der letzten Bekanntmachung an gerechnet, welche Lokalbehörden hinsichtlich der Eröffnung des Nachlasses erlassen haben, oder in Ermangelung einer solchen Bekanntmachung, bis zum Ablauf einer Frist von zwölf Monaten seit dem Todestage.

Die Konsularbeamten sollen jedoch die Befugniss haben, die Kosten der ärztlichen Behandlung und der Beerdigung des Verstorbenen, den Lohn seiner Dienstboten, Miethzins, Gerichtskosten, Konsulatsgebühren und Kosten ähnlicher Art, sowie etwaige Ausgaben für den Unterhalt der Familie des Verstorbenen aus der Nachlassmasse sofort vorweg zu entnehmen.

e. Vorbehaltlich der Bestimmungen des vorhergehenden Absatzes sollen die Konsularbeamten das Recht haben, alle Massnahmen zu treffen, die sie zur Erhaltung des beweglichen und unbeweglichen Nachlasses des Verstorbenen als im Interesse der Erben liegend erachten. Sie können den Nachlass entweder persönlich oder durch einen von ihnen erwählten und in ihrem Namen handelnden Vertreter verwalten, und sie sollen das Recht haben, die Auslieferung aller dem Verstorbenen zugehörigen Werthgegenstände zu verlangen, die sich in öffntlichen Kassen oder in den Händen von Privatpersonen befinden.

f. Wenn während der in Absatz *d* erwähnten Frist über etwaige Ansprüche von Landesangehörigen oder Angehörigen einer dritten Macht gegen den Nachlass Streit entstehen sollte, so haben die Landesgerichte ausschliesslich die Entscheidung über solche Ansprüche, soweit solche nicht auf einem Erbanspruch oder Vermächtniss beruhen.

Falls der Bestand der Hinterlassenschaft des Verstorbenen zur unverkürzten Bezahlung seiner Schulden nicht ausreichen sollte, sollen die Gläubiger, sofern die Gesetze des Landes es gestatten, bei den zuständigen Lokalbehörden die Eröffnung des Konkurses beantragen können. Nach erfolgter Konkurseröffnung sollen alle Schriftstücke, Effekten oder Werthe der Nachlassmasse den zuständigen Lokalbehörden oder den Verwaltern der Konkursmasse überliefert werden, wobei es die Aufgabe der Konsularbeamten bleibt, die Interessen ihrer Landesangehörigen wahrzunehmen.

g. Wenn mit Ablauf der in Absatz *d* erwähnten Frist keine Forderung gegen den Nachlass vorliegt, so sollen die Konsularbeamten, nachdem alle dem Nachlasse zur Last fallenden Kosten und Rechnungen nach den im Lande geltenden Tarifen bezahlt und berichtigt sind, endgültig Besitz von dem Nachlasse ergreifen,

ihn liquidiren und den gesetzlichen Erben überweisen, ohne dass sie anderweit als ihrer eigenen Regierung Rechnung abzulegen haben.

h. In allen Fragen, welche über die Eröffnung, Verwaltung und Liquidation der Hinterlassenschaft von Angehörigen eines der beiden Länder in dem anderen entstehen, sollen die betreffenden Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten von Rechtswegen zur Vertretung der Erben befugt sein und sind amtlich als deren Bevollmächtigte anzuerkennen, ohne dass sie verpflichtet wären, ihren Auftrag durch eine besondere Vollmacht nachzuweisen.

Die Konsularbeamten können daher entweder in Person oder durch einen landesgesetzlich dazu befugten Vertreter vor der zuständigen Landesbehörde auftreten und in allen den Nachlass betreffenden Angelegenheiten die Interessen der Erben wahrnehmen, auch sich auf die gegen diese erhobenen Ansprüche einlassen.

Sie sind jedoch verpflichtet, etwa vorhandene Testamentsvollstrecker oder die gegenwärtigen beziehungsweise durch Bevollmächtigte vertretenen Erben von jedem Anspruch in Kenntniss zu setzen, der etwa bei ihnen gegen die Nachlassmasse erhoben wird, damit die Vollstrecker oder Erben ihre Einreden gegen solche Ansprüche geltend machen können.

Es ist indessen selbstverständlich, dass die Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten, da sie als Bevollmächtigte ihrer Landesangehörigen betrachtet werden, persönlich wegen einer den Nachlass betreffenden Angelegenheit gerichtlich nicht in Anspruch genommen werden könne.

i. Das Erbrecht sowie die Theilung des Nachlasses des Verstorbenen richten sich nach den Gesetzen seines Landes.

Alle Ansprüche wegen des Erbrechts und der Nachlasstheilung sollen durch die Gerichtshöfe oder zuständigen Behörden dieses Landes und in Gemässheit der Gesetze des letzteren entschieden werden.

k. Wenn ein Deutscher in Japan oder ein Japaner in Deutschland an einem Orte verstirbt, an welchem oder in dessen Nähe kein Konsularbeamter seines Landes vorhanden ist, so haben die zuständigen Lokalbehörden nach Massgabe der Landesgesetze ein Verzeichniss der Hinterlassenschaft des Verstorbenen aufzunehmen und ihre Siegel anzulegen. Beglaubigte Abschriften der betreffenden Urkunden sind nebst der Todesurkunde und allen die Nationalität des Verstorbenen darthuenden Schriftstücken binnen kürzester Frist dem dem Nachlassorte nächsten Konsularbeamten zu übersenden.

Die zuständigen Lokalbehörden sollen hinsichtlich des Nachlasses des Verstorbenen alle durch die Landesgesetze vorgeschriebenen Massnahmen treffen, und der Nachlass soll sobald als thunlich nach Ablauf der in Absatz *d* bestimmten Frist den vorgedachten Konsularbeamten oder dessen Bevollmächtigten übermittelt werden.

Es versteht sich von selbst, dass von dem Augenblicke an, wo ein zuständiger Konsularbeamter oder dessen Vertreter an dem Nachlassorte erscheint, die Lokalbehörden, welche etwa inzwischen eingeschritten sind, sich nach den vorstehenden Bestimmungen dieses Artikels zu richten haben.

l. Die Bestimmungen des gegenwärtigen Vertrages sollen in gleicher Weise auf die Hinterlassenschaft von Angehörigen eines der beiden Länder Anwendung finden, die, ausserhalb des Gebietes des anderen Landes verstorben, dort bewegliches oder unbewegliches Eigenthum etwa hinterlassen haben.

m. Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten jedes Landes sind ausschliesslich beauftragt mit der Inventarisirung und den anderen zur Erhaltung und Liquidirung erforderlichen Amtshandlungen bei Nachlässen von Seeleuten, Passagieren und sonstigen Reisenden ihrer Nation, welche in dem anderen Lande, sei es am Lande, sei es an Bord eines Schiffes, gestorben sind. (43)

ARTIKEL XV.

Die Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten können sich in Person an Bord der zum freien Verkehr zugelassenen Schiffe ihrer Nationalität begeben oder einen Bevollmächtigten an Bord senden, um die Offiziere und Mannschaften zu vernehmen, die Schiffspapiere zu prüfen, die Erklärungen über ihre Reise, ihren Bestimmungsort und die Zwischenfälle während der Reise entgegenzunehmen, Ladungsverzeichnisse (Manifeste) aufzunehmen, den Eingang und die Abfertigung ihrer Schiffe zu fördern, endlich mit den gedachten Offizieren und Mannschaften vor den Gerichts- und Verwaltungsbehörden des Landes zu erscheinen, um ihnen als Dolmetscher oder Agenten zu dienen.

Die öffentlichen Beamten des Landes dürfen in den Häfen, wo ein Generalkonsul, Konsul, Vizekonsul oder Konsularagent eines der beiden vertragschliessenden Theile seinen Amtssitz hat, an Bord von Handelsschiffen Untersuchungshandlungen, Verhaftungen, Beschlagnahmen, Durchsuchungen, Vernehmungen, oder Zwangsakte jeder Art, abgesehen von den gewöhnlichen zollamt-

lichen und gesundheitspolizeilichen Besichtigungen, nicht vornehmen, ohne zuvor dem gedachten Konsularbeamten Nachricht gegeben zu haben, damit derselbe der betreffenden Amtshandlung beiwohnen kann. Ebenso müssen die Konsularbeamten behufs ihrer Anwesenheit rechtzeitig benachrichtigt werden, wenn die Offiziere oder zur Schiffsmannschaft gehörige Personen vor den Gerichten oder Behörden des Ortes Aussagen oder Erklärungen abzugeben haben. Die bezügliche Mittheilung soll die für das Verfahren bestimmte Stunde enthalten. Beim Nichterscheinen der gedachten Beamten oder ihrer Vertreter kann in ihrer Abwesenheit in der Sache vorgegangen werden. (47)

ARTIKEL XVI.

Den Generalkonsuln, Konsuln, Vizekonsuln oder Konsularagenten steht ausschliesslich die Aufrechterhaltung der inneren Ordnung an Bord der Handelsschiffe ihres Landes zu ; sie haben daher allein Streitigkeiten zwischen dem Schiffsführer, den Schiffsoffizieren und Matrosen zu schlichten, insbesondere solche, welche sich auf die Heuer und die Erfüllung gegenseitiger Verpflichtung beziehen. Weder ein Gerichtshof noch eine andere Behörde soll unter irgend einem Vorwande sich in solche Streitigkeiten mischen dürfen, ausser in Fällen, wenn die an Bord vorfallenden Streitigkeiten der Art sind, dass dadurch die Ruhe und öffentliche Ordnung im Hafen oder am Lande gestört wird, oder wenn andere Personen als Officiere und Mannschaften des Schiffes an der Unordnung oder Streitigkeit betheiligt sind.

Die Landesbehörden sollen indessen, sofern es sich nicht um Angehörige ihres Landes handelt, verpflichtet sein, den Konsularbeamten wirksame Hülfe zu leisten, wenn diese darum nachsuchen, um eine Person der Schiffsbesatzung ausfindig zu machen, zu verhaften und in Haft zu behalten, deren Festhaltung jene für erforderlich erachten. Solche Personen sollen auf eine schriftliche, an die Landesbehörden gerichtete und von einem beglaubigten Auszuge aus dem Schiffsregister oder Musterrolle begleitete Aufforderung der Konsularbeamten verhaftet und während des Aufenthaltes des Schiffes im Hafen zur Verfügung der Konsularbeamten gehalten werden. Ihre Freilassung soll nur auf Grund eines schriftlichen Ansuchens der gedachten Beamten erfolgen.

Die Kosten der Verhaftung und der Festhaltung dieser Personen sollen von den Konsularbeamten getragen werden. (48)

ARTIKEL XVII.

Die Generalkonsuln, Kosuln, Vizekonsuln oder Konsularagenten können die Offiziere, Matrosen und alle anderen zur Mannschaft der Kriegs- oder Handelsschiffe ihrer Nationalität gehörigen Personen, welche der Desertion von den gedachten Schiffen schuldig oder angeklagt sind, festnehmen lassen, um dieselben an Bord oder in ihre Heimath zu senden.

Zu diesem Zweck sollen die Konsularbeamten sich an eine der zuständigen Behörden des Landes, in dem sie ihren Amtssitz haben, wenden und an dieselbe bezüglich der Deserteure ein Ersuchungsschreiben richten, begleitet von einem amtlichen Auszuge aus dem Schiffsregister und der Musterrolle oder von anderen amtlichen Urkunden, aus denen hervorgeht, dass die Leute, deren Auslieferung sie verlangen, zu der gedachten Schiffsmannshaft gehören. Auf ein dergestalt begründetes Ersuchen, und ohne dass es einer Beeidigung von Seiten der Konsuln bedarf, sollen die Deserteure ausgeliefert werden—vorausgesetzt, dass dieselben weder zur Zeit ihrer Einschiffung, noch zur Zeit ihrer Ankunft im Hafen Angehörige des Landes sind, wo das Auslieferungsverlangen gestellt wird.

Ferner soll jeder Beistand und jede erforderliche Hülfe ihnen bei der Ermittelung und Festhaltung der Deserteure gewährt werden, welche in die Gefängnisse des Landes gebracht und dort auf Ersuchen und auf Kosten des Konsularbeamten solange festgehalten werden sollen, bis dieser eine Gelegenheit zu ihrer Fortsendung gefunden haben wird.

Wenn jedoch eine solche Gelegenheit innerhalb eines Zeitraumes von sechs Monaten, vom Tage der Gefangennahme an gerechnet, sich nicht findet, so sind die Deserteure freizulassen und aus dem nämlichen Gründe nicht wieder festzunehmen.

Sollten die Deserteure ein Verbrechen oder Vergehen in dem Lande, in dem sie aufgefunden werden, begangen haben, so sollen sie nicht eher zur Verfügung der Konsularbeamten gestellt werden, bis das für den Fall zuständige Landesgericht die Entscheidung gefällt hat und diese vollstreckt worden ist. (48)

ARTIKEL XVIII.

Falls nicht Verabredungen zwischen Rhedern, Befrachtern und Versicherern entgegenstehen, werden alle während der Fahrt der Schiffe beider Länder erlittenen Havereien, sei es, dass Schiffe den Hafen freiwillig oder als Nothhafen

anlaufen, von den Generalkonsuln, Konsuln, Vizekonsuln und Konsularagenten festgesetzt.

Hat indessen der gedachte Konsularbeamte ein Interesse an dem Falle, oder ist er Agent für das Schiff oder die Ladung ist ein Landesangehöriger oder ein Angehöriger einer dritten Macht bei der Sache betheiligt und es lässt sich eine gütliche Einigung der Parteien nicht erzielen, so sollen die Landesbehörden entscheiden. (49)

ARTIKEL XIX.

Der gegenwärtige Vertrag soll in Kraft treten, sobald der zwischen den vertragschliessenden Theilen vereinbarte Handels- und Schifffahrtsvertrag vom heutigen Tage in allen seinen Theilen Wirksamkeit erlangt. Er soll von seinem Inkrafttreten ab 12 Jahre in Geltung bleiben

Jeder der vertragschliessenden Theile soll das Recht haben zu irgend einer-Zeit, nachdem 11 Jahre vom Tage des Inkrafttretens des Vertrages verflossen sind, dem anderen seine Absicht, diesen Vertrag aufhören zu lassen, anzukündie gen, und mit Ablauf von 12 Monaten nach erfolgter Kündigung soll der Vertrag gänzlich aufhören und endigen. (50)

ARTIKEL XX.

Der gegenwärtige Vertrag soll ratifizirt, und die Ratifikationsurkunden sollen gleichzeitig mit jenen des zwischen den vertragschliessenden Theilen vereinbarten Handels- und Schifffahrtsvertrages vom heutigen Tage in Berlin ausgetauscht werden. (50)

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten diesen Vertrag unterzeichnet und mit ihren Sigeln versehen.

So geschehen zu Berlin in doppelter Ausfertigung am 4. April 1896.

[L. S.] VICOMTE AOKI.
[L. S.] FREIHERR VON MARSCHALL.

PROTOKOLL.

Die unterzeichneten Bevollmächtigten haben gleichzeitig mit dem Konsularvertrag vom heutigen Tage noch folgende Bestimmungen vereinbart :

1. Sollten am Tage des Inkrafttretens des Konsularvertrages vom heutigen Tage in den Gebieten des einen vertragschliessenden Theiles Personen vorhanden sein, welche, ohne im Besitz irgend einer Staatsanghörigkeit sich zu befinden, als Schutzgenossen des anderen vertragschliessenden Theiles anerkannt sind, so sollen die durch den Konsularvertrag den beiderseitigen Konsularbeamten mit Beziehung auf ihre Landesangehörigen eingeräumten Befugnisse sich auch auf die vorerwähnten Schutzgenossen für die Dauer ihrer Lebenszeit erstrecken. Ein Verzeichniss solcher Personen werden sich die beiderseitigen Regierungen mittheilen. (51)

2. Ueber die gegenseitige Auslieferung der Verbrecher und Erledigung von Requisitionen in Strafsachen wird zwischen den vertragschliessenden Theilen eine besondere Vereinbarung getroffen werden. Bis zum Inkrafttreten dieser Vereinbarung sollen dem Deutschen Reich in Japan diselben Rechte und Begünstigungen, welche seitens Japans einem anderen Lande in diesen Beziehungen eingeräumt sind oder in Zukunft eingeräumt werden, insoweit zustehen, als seitens des Deutschen Reichs bei Stellung des Antrages für gleichartige Fälle die Gegenseitigkeit an Japan zugesichert wird. (51)

Die unterzeichneten Bevollmächtigten sind übereingekommen, dass dieses Protokoll den beiden vertragschliessenden Theilen zugleich mit dem heute unterzeichneten Konsularvertrag vorgelegt werden soll, und dass, wenn der genannte Vertrag ratifizirt wird, die in dem Protokoll enthaltenen Vereinbarungen in gleicher Weise als genehmigt angesehen werden sollen, ohne dass es einer weiteren förmlichen Ratifikation bedarf.

Auch wird vereinbart, dass die Bestimmungen dieses Protokolls zu gleicher Zeit mit dem Aufhören der Wirksamkeit des genannten Vertrages ausser Kraft treten. (51)

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten dasselbe unterzeichnet und ihre Siegel beigedrückt.

So geschehen zu Berlin in doppelter Ausfertigung am 4. April 1896.

[L. S.] VICOMTE AOKI.

[L. S.] FREIHERR VON MARSCHALL.

ARGENTINE.

TRATADO DE AMISTAD, COMERCIO Y NAVEGACION.

Firmado en Washington, el 3°dia del 2°mes del 31° año de Meiji (1898); *Ratificado el 18°dia del 7° mes del 34°año de Meiji* (1901); *Ratificaciones cangeades en Washington el 18°dia del 9°mes del 34°año de Meiji* (1901); *y promul gado el 30°dia del 9°mes del 34°año de Meiji* (1901).

Su Majestad el Emperador del Japón, y Su Excelencia el Presidente de la República Argentina igualmente animados del deseo de establecer sobre base firme y duradera relaciones de amistad y comercio entre sus respectivos Estados, súbditos y ciudadanos, han resuelto ajustar un Tratado de Amistad, Comercio y Navegación, y al efecto, han nombrado sus Plenipotenciarios, á saber:

Su Majestad el Emperador del Japón al Jushii Toru Hoshi, de la órden del Sol Naciente, de tercera clase, su Enviado Extraordinario y Ministro Plenipotenciario ante el Gobierno de los Estados Unidos de América y Su Excelencia el Presidente de la República

TREATY OF AMITY, COMMERCE AND NAVIGATION.

Signed at Washington 3rd day of 2nd month, 31st year of meiji (1898); *Ratified 18th day of 7th month, 34th year of Meiji* (1901); *Ratifications exchanged at Washington, 18th day of 9th month, 34th year of Meiji* (1901); *Promulgated 30th day of 9th month, 34th year of Meiji* (1901).

His Majesty the Emperor of Japan and His Excellency the President of the Argentine Republic, being equally animated by a desire to establish upon a firm and lasting foundation relations of friendship and commerce between their respective States and subjects and citizens, have resolved to conclude a Treaty of Amity, Commerce and Navigation, and have for that purpose named their respective Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan, Jushii Toru Hoshi, of the Third Order of the Rising Sun, His Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of America; and His Excellency the President of the Argentine Repub-

Argentina al Señor Don Martin Garcia Mérou, Enviado Extraordinario y Ministro Plenipotenciario de la República Argentina ante el Gobierno de los Estado Unidos de América, quiénes, habiéndose comunicado, sus respectivos Plenos Poderes y halládolos en buena y debida forma, han convenido en los artículos siguientes :

ARTÍCULO I.

Habrá sólida y perpetua paz y amistad entre el Imperio del Japón y la República Argentina, y sus respectivos súbdítos y ciudadanos. (52)

ARTÍCULO II.

Su Majestad el Emperador del Japón puede acreditar, si asi lo estimare conveniente, un Ajente Diplomático ante el Gobierno de la República Argentina, y, de igual manera, Su Excelencia el Presidente de la República Argentina puede acreditar, si asi lo estimare oportuno, un Ajente Diplomático ante las Cortes de Tokio ; y cada una de las Altas Partes Contratantes tendrá el derecho de nombrar, en interes del comercio, Cónsules Generales, Cósules, Vice-Consules y Ajentes Consulares para que residan en todos los puertos y plazes de los territorios de la otra Parte Contratante en que sea permitida

lic, Señor Don Martin Garcia Mérou, Envoy Extraordinary and Minister Plenipotentiary of the Argentine Republic near the Government of the United States of America ; who having communicated to each other their respective Full Powers, and found them in good and due form, have agreed upon the following Articles :

ARTICLE I.

There shall be firm and perpetual peace and amity between the Empire of Japan and the Argentine Republic, and their respective subjects and citizens. (52)

ARTICLE II.

His Majesty the Emperor of Japan may, if he think proper, accredit a Diplomatic Agent to the Government of the Argentine Republic ; and, in like manner, His Excellency the President of the Argentine Republic may, if he see fit, accredit a Diplomatic Agent to the Court of Tokio ; and each of the High Contracting Parties shall have the right to appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents, for the convenience of trade, to reside in all the ports and places within the territories of the other Contracting Party where similar Consular officers of other nations are permitted

la residencia de iguales fnncionarios consulares de otras naciones; pero antes de cualquier Cónsul-General, Cónsul, Vice-Cónul ó Ajente Consular pueda obrar como tal deberá ser aceptado y admitado enlaforma acostumbrada por el Gobierno ante el cual fuere constituido.

Los Funcionarios Diplomáticos y Consulares de cada una de las dos Altas Partes Contratantes gozarán en los territorios de la otra, con sujeción â las estipulaciones de este Tratado, de los derechos, privilejios, exenciones é inmunidades que se conceden ó concedieren á funcionarios de igual categoria de cualquiera nación europea ó de los Esta dos Unidos de America. (52)

to reside; but before any Consul-General, Consul, Vice-Consul or Consular Agent shall act as such he shall, in the usual form, be approved and admitted by the Government to which he is sent.

The Diplomatic and Consular officers of each of the two High Contracting Parties shall, subject to the stipulations of this Treaty, enjoy in the territories of the other whatever rights, privileges, exemptions and immunities, are or shall be granted there to officers of corresponding rank of any European nation or of the United States of America. (52)

ARTÍCULO III.

Habrá reciproca libertad de comercio y navegación entre los territorios y posesiones de las dos Altas Partes Contratantes. Los súbditos y ciudadanos de cada una de las Altas Partes Contratantes, respectivamente, tendrán el derecho de entrar con seguridad y libremente con sus buques y cargamentos en todos los lugares, puertos rios y estrechos de los territorios y posesiones de la otra, en que la entrada fuere permitida á súbditos ó ciudadanos de otras naciones; pueden permanecer y residir en todos los lugares y puertos en que se consiente residir y permanecer á súb-

ARTICLE III.

There shall be between the Territories and Possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects and citizens, respectively, of each of the High Contracting Parties shall have the right to come freely and securely with their ships and cargoes to all places, ports, rivers and straits in the Territories and Possessions of the other, where subjects or citizens of other nations are permitted so to come; they may remain and reside at all the places or ports where subjects or citizens of other nations are permit-

ditos y ciudadanos de otras naciones, y pueden alli arrendar y ocupar casas y almacenes y traficar por mayor y menor en todo genero de productos, manufacturas y mercaderias de licito comercio. (53)

ARTÍCULO IV.

Las dos Altas Partes Contratantes convienen en que todo favor, privilejio ó inmunidad referente al comercio, navegación, tránsito ó residencia en sus territorios ó posesiones que cualquiera Parte Contratante concediere actualmento ó más tarde á súbditos ó ciudadanos de alguna nación europea ó de los Estados Unidos de América, se hará extensivo á la otra Parte Contratante; gratuitamente, si la concesión en favor de la nación europea ó de los Estados Unidos de America hubiere sido gratuita, y en las mismas ó equivalentes condiciones, si la concesión hubiera sido condicional. (53)

ARTÍCULO V.

No se impondrá otros ó más altos derechos á la importación en el Japón de cualquier articulo natural, producción ó manufactura de la República Argentina, y no se impondra otros ó más altos derechos á la importación en la República Argentina de cualquier

ted to remain and reside, and they may there hire and occupy houses and warehouses, and may there trade by wholesale or retail in all kinds of products, manufatures and merchandise of lawful commerce. (53)

ARTICLE IV.

The two High Contracting Parties hereby agree that any favor, privilege or immunity whatever in matters relating to commerce, navigation, travel through or residence in their Territories or Possessions which either Contracting Party has actually granted, or may hereafter grant to the subjects or citizens of any European nation or of the United States of America, shall be extended to the subjcets or citizens of the other Contracting Party, gratuitously, if the concession in favor of that European nation or the United States of America shall have been gratuitous, and on the same, or equivalent condition, if the concession shall have been conditional. (53)

ARTICLE V.

No other or higher duties shall be imposed on the importation into Japan of any article, the growth, produce or manufacture of the Argentine Republic, and no other or higher duties shall be imposed on the importation into the Argentine Republic of any

arítculo natural, producción ó manufactura del Japón, sea que tal importación esté destinada al consumo, almacenaje, reexportación ó tránsito, que los que se pagan ó pagaren por la importacion para idénticos fines de artículos naturales, producción ó manufactura de cualquier país europea ó de los Estados Unidos de América.

Ni se impondrá otros ó más altos derechos ó gravámenes en los territorios ó posesiones de cualquier de las dos Partes Contratantes á la exportación de cualquier artículo para los territorios ó posesiones de la otra, que los que se pagan ó pagaren por la exportación del mismo artículo para cualquier país europea ó de los Estados Unidos de América. No se prohibirá la importación ó tránsito de cualquier artículo natural, producción ó manufactura de los territorios de cada una de las Partes Contratantes en ó á través de los territorios ó posesiones de la otra, si tal prohibición no se extendiere igualmente á los mismos artículos naturales, produccicn ó manufactura de cualquier país europea ó de los Estados Unidos de América. Nise prohibirá en modo alguno la exportación de cualquier artículo de los territorios de cada una de las Altas Partes Contratantes para los territorios ó posesiones de la otra, si tal pro-

article, the growth, produce or manufacture of Japan, whether such importation be for the purpose of consumption, warehousing, re-exportation or transit, than are or shall be payable on the importation for the same purpose of the like article being the growth, produce or manufacture of any European country or of the United States of America.

Nor shall any other or higher duties or charges be imposed in the Territories or Possessions of either of the two High Contracting Parties on the exportation of any article to the Territories or Possessions of the other than such as are or may be payable on the exportation of the like article to any European country or the United States of America. No prohibition shall be imposed on the importation or transit of any article, the growth, produce or manufacture of the Territories of either of the High Contracting Parties into or through Territories or Possessions of the other, which shall not equally extend to the like article being the growth, produce or manufacture of any European country or of the United States of America. Nor shall any prohibition be imposed on the exportation of any article from the Territories of either of the High Contracting Parties to the Territories or Possessions of the other, which shall not equally extend

hibición no se extendiere igualmente á la exportación del mismo artículo para los territorios de las naciones europeas ó de los Estados Unidos de América. (53)

ARTÍCULO VI.

En todo lo concerniente al derecho de tránsito, almacenaje, primas facilidades, devoluciones y reexportaciones, los súbditos, ciudadanos, mercaderias y embarcaciones de cada una de las Altas Partes Contratantes, serán, bajo todos respectos, colocados en los territorios y posesiones de la otraen elmismo pié que los súbditos, ciudadanos, mercaderias, y embarcaciones de naciones europeas ó de los Estados Unidos de América. (54)

ARTÍCULO VII.

No se impondrá en los puertos, rios ó estrechos del Japón á los buques de la República Argentina, ni en los puertos, rios ó estrechos de la República Argentina á los buques del Japón, otros ó más altos derechos ó gravámenes, por razón de tonelaje faros, puerto, pilotaje, cuarentena, salvamento en caso de averias, ú otros derechos ó gravámenes semejantes ó correspondientes, de cualqiuera naturaleza ó denominación, sea que se demanden á nombre ó en beneficio del Gobierno ó de funcionarios públicos, individuos

to the exportation of the like article to the territories of all European nations or of the United States of America. (53)

ARTICLE VI.

In all that relates to transit, warehousing, bounties, facilities, drawbacks, re-exports and transit duties, the subjects, citizens, merchandise and shipping of each of the High Contracting Parties, shall, in the Territories and Possessions of the other, be placed in all respects upon the same footing as the subjcets, citizens, merchandise and shipping of European nations or of the United States of America. (54)

ARTICLE VII.

No other or higher duties or charges on account of tonnage, light or harbor dues, pilotage, quarantine, salvage in case of damage, or any other similar or corresponding duties or charges of whatever nature or under whatever denomination levied in the name or for the profit of Government, public functionaries, private individuals, corporations or establishments, shall be imposed in any of the ports, rivers or straits of Japan on vessels of the Argentine Republic, or in any of the ports, rivers or straits of the Argentine Re-

privados, corporaciones ó establecimientos, que los que pagan ó pagaren en lo sucesivo en iguales casos los buques de naciones europeas ó de los Estados Unidos de América en los mismos puertos, rios, y estrechos. (54)

ARTÍCULO VIII.

Se exceptúa de las disposiciones del presente Tratado el comercio de cabotaje de las dos Altas Partes Contratantes, el cual será reglado de conformidad con las leyes del Japón y de la República Argentina respectivamente. (55)

ARTÍCULO IX.

Todos los buques que de acuerdo con las leyes y reglamentos del Japón deben considerarse buques japoneses, y todos los buques que de acuerdo con las leyes y reglamentos de la República Argentina deben considerarse buques argentinos, se reputarán para los fines de este Tratado buques japoneses y argentinos respectivamente. (55)

ARTÍCULO X.

Los súbditos y naves mercantes de Su Majestad Imperial que se trasladen á la República Argentina ó permanezcan en sus aguas territoriales, estarán sometidos, mientras queden alli, á las leyes de la República Argentina y á la jurisdicción de sus tribunales de justicia en lo concerniente á las personas y propiedades, en la misma manera que los súbditos de la nación mas favorecida. (56)

public on vessels of Japan, than are or may hereafter be payable in like cases in the same ports, rivers and straits on vessels of European nations or of the United States of America. (54)

ARTICLE VIII.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws of Japan and the Argentine Republic respectively. (55)

ARTICLE IX.

All vessels which, according to Japanese laws and ordinances, are to be deemed Japanese vessels, and all vessels which, according to Argentine laws and regulations, are to be deemed Argentine vessels, shall, for the purposes of this Treaty, be deemed Japanese and Argentine vessels, respectively. (55)

ARTICLE X.

His Imperial Majesty's subjects and Japanese merchant vessels resorting to the Argentine Republic or to the territorial waters thereof shall, so long as they there remain, be subject to the laws and jurisdiction of the Argentine Republic; and, in the same manner,

ticia; y de la misma manera los ciudadanos y naves mercantes de la República Argentina que se trasladen al Japón ó permanezcan en sus aguas territoriales estarán sometidos, mientras queden allí, á las leyes y jurisdicción del Japón. Queda, sinembargo, entendido que la estipulacíon de este artículo nose extiente a materias relacionadas exclusivamente con la disciplina in terna de las naves de cualquiera de las Partes Contratantes en los puertos ó aguas territoriales de la otra. (55)

citizens of the Argentine Republic as well as Argentine merchant vessels resorting to Japan or to the territorial waters thereof shall be subject to the laws of Japan and to the jurisdiction of His Imperial Majesty's Courts. It is understood, however, that the provisions of this Article do not extend to matters relating exclusively to the internal discipline of the merchant vessels of either Contracting Party in the ports or territorial waters of the other. (55)

ARTÍCULO XI.

Los súbditos ó ciudadanos de cada una de las Altas Partes Contratantes en los territorios ó posesiones de la otra, recibirán y disfutarán recíprocamente en sus personas y propriedades la misma ámplia y perfecta protección que se dispensa á los súbditos y ciudadanos naturales; tendrán libre y abierto acceso á los tribunales de justicia para la prosecución y defensa de sus derechos, y podrán, de la misma manera que los súbditos ó ciudadanos naturales, emplear abogados, procuradores ó ajentes que les representen ante dichos tribunales de justicia.

Gozarán tambien entera libertad de conciencia y gozarán, en cuanto lo permitan las leyes que estuvieren en vigor,

ARTICLE XI.

The subjects and citizens of each of the High Contracting Parties shall, in the Territories and Possessions of the other, reciprocally receive and enjoy the same full and perfect protection for their persons and property that is granted to native subjects or citizens, and they shall have free and open access to the Courts of Justice in said countries, respectively, for the prosecution and defense of their just rights; and they shall, equally with native subjects or citizens, be at liberty to employ advocates, attorneys or agents to represent them before such Courts of Justice.

They shall also enjoy entire liberty of conscience, and, subject to the laws for the time being in force, shall enjoy

el derecho de ejercer privada ó públicamente su culto, como asímismo el derecho de enterrar á sus respectivos compatriotas, de acuerdo con los reglamentos en vijencia, en lugares adecuados y convenientes que con tal objeto se establezcan y sostengan. (55)

the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs in such suitable and convenient places as may be established and maintained for the purpose subject to the regulations in force. (55)

ARTÍCULO XII.

Respecto de alojamiento militar, servicio militar obligatorio, sea en tierra ó mar, contribuciones de guerra, requisiciones militares ó emprétitos forzosas, los súbditos y ciudadanos de las dos Altas Partes Contratantes gozarán en los territorios y posesiones de la otra, los mismos privilejios, inmunidades y exenciones que se conceden ó concedieren á los súbditos ó ciudadanos de naciones europeas ó de los Estados Unidos de América. (56)

ARTICLE XII.

In regard to billeting; forced or compulsory military service, whether by land or sea; contributions of war; military exactions or forced loans, the subjects and citizens of each of the two High Contracting Parties, shall, in the Territories and Possessions of the other, enjoy the same privileges, immunities and exemptions as may now or may hereafter be granted to the subjects or citizens of European nations or of the United States of America. (56)

ARTÍCULO XIII.

El presente Tratado principiará á rejir inmediatamente después del canje de las ratificaciones y continuará en vigor hasta seis meses después que una de las Altas Partes Contratantes haya notificado á la otra su intención de ponerle término. (56)

ARTICLE XIII.

The present Treaty shall go into operation immediately after the exchange of ratifications, and shall continue in force until the expiration of six (6) months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same, and no longer. (56)

ARTÍCULO XIV.

El presente Tratado será firmado

ARTICLE XIV.

The present Treaty shall be signed

por duplicado y en los idiomas japonés, español é inglés, y en caso de que llegará á encontrarse alguna discrepancia entre los textos japonés y español, será decidada de conformidad con el texto inglés que es obligatorio para los dos Gobiernos. (56)

ARTÍCULO XV.

El presente Tratado será ratificado por las dos Altas Partes Contratantes y las ratificaciones serán canjeadas en Wáshington á la brevedad posible.

En fé de lo cual, los respectivos Plenipotenciarios firman este Tratado y le ponen sus respectivos sellos.

Hecho por sextuplicado en Wáshington le tercer día del segundo mes del trigésimo primero ano de Meiji, correspondiente al tercer día del mes de Febrero de mil ochocientos noventa y ocho.

(L. S.) TORU HOSHI.
(L. S.) M. GARCIA MÉROU.

in duplicate in the Japanese, Spanish and English languages, and in case there should be found any discrepancy between the Japanese and Spanish texts, it will be decided in conformity with the English text, which is binding upon both Governments. (56)

ARTICLE XV.

The present Treaty shall be ratified by the two High Contracting Parties and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed this Treaty and hereunto affixed their respective seals.

Done in sextuplicate at Washington, this third day of the second month of the thirty-first year of Meiji, corresponding to the third day of February of the year one thousand eight hundred and ninety eight.

(L. S.) TORU HOSHI.
(L. S.) M. GARCIA MÉROU.

AUTRICHE-HONGRIE.

TRAITÉ DE COMMERCE ET DE NAVIGATION.

Signé à Vienne, le 5e jour du 12e mois de la 30e année de Meiji (1897)*; ratifié le 22e jour du 3e mois de la 31e année de Meiji* (1898)*; et promulgué le 9e jour du 9e mois de la 31e année de Meiji* (1898).

Sa Majesté l'Empereur du Japon et Sa Majesté l'Empereur d'Autriche, Roi de Bohême, etc. et Roi Apostolique de Hongrie, animés d'un égal désir de maintenir les bons rapports déjà heureusement établis entre Eux, en étendant et en augmentant les relations entre leurs Etats respectifs, et persuadés que ce but ne saurait être mieux atteint que par la révision du Traité jusqu'ici en vigueur entre leurs Pays, ont résolu de procéder à cette révision sur les bases de l'équité et de l'intérêt mutuels et ont nommé à cet effet, pour leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon:

Le Sieur Takahira Kogoro, Shoshii, 2ème classe de l'Ordre Impérial du Soleil Levant, Son Envoyé extraordinaire et Ministre plénipotentiaire à Vienne, et

Sa Majesté l'Empereur d'Autriche, Roi de Bohême, etc. et Roi Apostolique de Hongrie :

Le Sieur Agenor Goluchowski de Goluchowo, Son Conseiller intime actuel, Chambellan, Ministre de la Maison Impériale et Royale et des Affaires Etrangères, Chevalier de l'Ordre de la Toison d'Or et Chevalier de 1ère classe de l'Orde Impérial de la Couronne de fer,

lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont conclu le présent Traité de commerce et de navigation.

ARTICLE I.

Les sujets de chacune des Hautes Parties contractantes auront toute liberté d'entrer, de voyager ou de résider en un lieu quelconque des territoires de l'autre,

et y jouiront d'une pleine et entière protection pour leurs personnes et leurs propriétés.

Ils auront un libre et facile accès auprès des tribunaux de justice tant pour réclamer que pour défendre leurs droits ; ils seront, sur le même pied que les nationaux, libres de choisir et d'employer des avoués, avocats et mandataires afin de poursuivre et de défendre leurs dorits devant ces tribunaux. Quant aux autres matières qui se rapportent à l'administration de la justice, ils jouiront de tous les droits et priviléges dont jouissent les nationaux.

Pour tout ce qui concerne le droit de résider et de voyager, de posséder des biens et effets mobiliers quelconques, de disposer, de quelque manière que ce soit, des biens de toutes sortes qu'ils peuvent légalement acquérir, et transmettre par succession, par testament ou autre manière, les sujets de chacune des Hautes Parties contractantes jouiront, dans les territoires de l'autre, des mêmes priviléges, libertés et droits que les nationaux ou les sujets de la nation la plus favorisée, sans pouvoir être tenus à acquitter des impôts ou taxes autres ou plus élevés. Les sujets de chacune des Hautes Parties contractantes jouiront, dans les territoires de l'autre, d'une entière liberté de conscience et pourront, en se conformant aux lois, ordonnances et règlements du pays, se livrer à l'exercice privé ou public de leur culte ; ils jouiront aussi du droit d'inhumer leurs nationaux respectifs, suivant leurs coutumes religieuses, dans des lieux convenables et appropriés qui seront établis et entretenus à cet effet.

Ils ne seront contraints, sous aucun prétexte, à subir des charges ou à payer des taxes, autres ou plus élevées que celles qui sont ou seront perçues sur les nationaux ou les sujets de la nation la plus favorisée. (58)

ARTICLE II.

Les sujets de chacune des Parties contractantes qui résident dans les territoires de l'autre, ne seront astreints à aucun service militaire obligatoire, soit dans l'armée ou la marine, soit dans la garde nationale ou la milice ; ils seront exempts de toutes contributions imposées en lieu et place du service personnel et de tous emprunts forcés, de toutes exactions ou de contributions militaires.

Sont toutefois exceptées les charges qui sont attachées à la possession d'un bien-fonds, ainsi que les prestations et réquisitions militaires auxquelles tous les nationaux peuvent être appelés à se soumettre comme propriétaires, fermiers ou

locataires d'immeubles en tant que la possession d'un bien-fonds ou d'immeubles sera permise. (59)

ARTICLE III.

Il y aura réciproquement pleine et entière liberté de commerce et de navigation entre les territoires des Hautes Parties contractantes.

Les sujets de chacune des Hautes Parties contractantes pourront, en quelque lieu que ce soit des territoires de l'autre, faire le commerce tant en gros qu'en détail de tous produits, objets fabriqués, tous articles de commerce licite, soit en personne, soit par leurs agents, seuls ou en entrant en société avec des étrangers ou avec des nationaux ; ils pourront y posséder, louer et occuper des maisons et boutiques, des fabriques, des magasins, louer des terres à l'effet d'y résider ou d'y exercer une industrie ou faire le commerce, le tout en se conformant comme les nationaux eux-mêmes aux lois, aux règlements de police et de douane du pays.

Ils auront pleine liberté d'entrer avec leurs navires et leurs cargaisons dans tous les ports et rivières de leurs territoires respectifs, qui sont ou pourront être ouverts au commerce extérieur, et jouiront, en matière de commerce, d'industrie et de navigation, du même traitement que les nationaux ou les sujets de la nation la plus favorisée, sans avoir à payer aucuns impôts, taxes ou droits, de quelque nature ou de quelque dénomination que ce soit, perçus au nom ou au profit du Gouvernement, de fonctionnaires publics, de particuliers, de corporations ou d' établissements quelconques, autres ou plus élevés que ceux imposés aux nationaux ou aux sujets de la nation la plus favorisée; le tout en se conformant aux lois, ordonnances et règlements des pays respectifs. (59)

ARTICLE IV.

Les habitations, fabriques, magasins et boutiques des sujets de chacune des Hautes Parties contractantes dans les territoires de l'autre, ainsi que leurs dépendances, servant soit à la demeure, soit à l'industrie ou au commerce, seront respectés.

Il ne sera point permis d'y procéder à des perquisitions ou visites domiciliaires non plus que d'examiner ou d'inspecter les livres, papiers ou comptes, sauf dans les conditions et formes prescrites par les lois, ordonnances et règlements applicables aux nationaux ou aux sujets de la nation la plus favorisée. (60)

ARTICLE V.

Il ne sera imposé à l'importation dans la Monarchie austo-hongroise de tous articles produits ou fabriqués dans le territoire de Sa Majesté l'Empereur du Japon, de quelque endroit qu'ils viennent, et à l'importation dans le territoire de Sa Majesté l'Empereur du Japon, de tous articles produits ou fabriqués dans la Monarchie austro-hongroise, de quelque endroit qu'ils viennent, aucun droit autre ou plus élevé que celui imposé aux articles similaires produits ou fabriqués dans tout autre pays étranger.

De même, aucune prohibition d'importation ne sera établie dans les territoires de l'une des Hautes Parties contractantes sur un article quelconque produit ou fabriqué dans les territoires de l'autre, de quelque endroit qu'il vienne, à moins que cette prohibition ne soit appliquée en même temps à l'importation des articles similaires produits ou fabriqués dans tout autre pays. Cette dernière disposition n'est pas applicable aux prohibition sanitaires ou autres provenant de la nécessité de protéger la sécurité des personnes, ainsi que la conservation du bétail et des plantes utiles à l'agriculture. (60)

ARTICLE VI.

Il ne sera imposé dans les territoires de chacune des Hautes Parties contractantes, à l'exportation d'un article quelconque à destination des territoires de l'autre, aucun droit ou charge autre ou plus élevé que ceux qui sont ou seront payables à l'exportation des articles similaires à destination d'un autre pays étranger quel qu'il soit ; de même, aucune prohibition ne sera imposée à l'exportion d'aucun article des territoires de l'une des Parties contractantes à destination des territoires de l'autre, sans que cette prohibition soit également étendue à l'exportation des articles similaires à destination de tout autre pays. (61)

ARTICLE VII.

Les sujets de chacune des Hautes Parties contractantes jouiront dans les territoires de l'autre, de l'exemption de tous droits de transit, et d'une parfaite égalité de traitement avec les nationaux pour tout ce qui concerne le magasinage, les primes, les facilités et les drawbacks. (61)

ARTICLE VIII.

Les objets passibles d'un droit d'entrée qui sont importés comme échantillons par des marchands, des industriels ou des commis-voyageurs seront, de part et d'autre, admis en franchise de droits d'entrée et de sortie à la condition que ces objets soient réexportés, sans avoir été vendus, dans le délai fixé par les lois du pays respectif et sous réserve de l'accomplissement des formalités de douane pour en assurer la réexportation ou la réintégration en entrepôt. La réexportation des échantillons devra être garantie dans les territoires des Hautes Parties contractantes immédiatement au premier lieu d'entrée, soit par dépôt du montant des droits de douane respectifs, soit par cautionnement.

Seront de même exempts de part et d'autre des droits d'entrée, les cartes d'échantillons, les échantillons en morceaux coupés de la pièce ou les échantillons représentant les marchandises, en tant qu'ils ne peuvent servir à aucun autre usage, même lorsqu'ils seront importés d'une manière autre que celle prévue dans l'alinéa précédent. (61)

ARTICLE IX.

S'il est prélevé dans les territoires de l'une des Hautes Parties contractantes dans le pays entier ou dans une circonscription restreinte un droit interne, soit pour le compte de l'Etat, soit pour celui d'une commune ou d'une corporation, de la productions, de la fabrication ou de la consommation d'un article, l'article similaire qui serait importé des territoires de l'autre Partie contractante ne pourra, dans ce pays ou dans cette circonscription, être grevé que du droit égal et non d'un droit plus élevé, ni plus onéreux.

Il ne poura être prélevé des droits internes quelconques dans le cas où les articles de même nature ne seraient pas produits ou fabriqués ou ne seraint pas frappés des mêmes droits dans ce pays ou dans cette circonscription. (62)

ARTICLE X.

Tous les articles qui sont ou pourront être légalement importés dans les ports du territoire de Sa Majesté l'Empereur du Japon sur des navires japonais pourront, de même, être importés dans ces ports sur des navires autrichiens ou hongrois ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés

sur les mêmes articles importés par des navires japonais. Réciproquement, tous les articles qui sont ou pourront être légalement importés dans les ports autrichiens ou hongrois sur des navires autrichiens ou hongrois pourront, de même, être importés dans ces ports sur des navires japonais ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus elévés que ceux imposés sur les mêmes articles importés par des navires autrichiens ou hongrois. Cette égalité réciproque de traitement sera accordée indistinctement, soit que ces articles viennent directement des pays d'origine, soit qu'ils viennent de tout autre lieu.

De même, il y aura parfaite égalité de traitement relativement à l'exportation ; ainsi, les mêmes droits d'exportation seront payés, et les mêmes primes et drawbacks seront accordés, dans les territoires de chacune des Hautes Parties contractantes, sur l'exportation de tout article qui est ou pourra être légalement exporté, que cette exportation ait lieu sur des navires japonais ou sur des navires autrichiens ou hongrois et quel que soit le lieu de destination, qu'il soit un des ports de chacune des Hautes Parties contractantes ou un des ports d'une Puissance tierce. (62)

ARTICLE XI.

Aucun droit de tonnage, de port, de pilotage, de phare, de quarantaine ou autres droits similaires ou analogues, de quelque nature ou sous quelque dénomination que ce soit, levés au nom ou au profit du Gouvernement, de fonctionnaires publics, de particuliers, de corporations ou d'établissements quelconques qui ne seraient également et sous les mêmes conditions, en pareil cas, sur les navires nationaux ou sur les navires de la nation la plus favorisée, ne seront imposés dans les ports des territoires de chacune des Hautes Parties contractantes, sur les navires de l'autre. Cette égalité de traitement sera appliquée réciproquement aux navires respectifs de quelque endroit qu'ils arrivent et quel que soit le lieu de destination. (63)

ARTICLE XII.

En ce qui concerne le placement des navires, leur chargement, leur déchargement dans les ports, bassins, docks, rades, havres ou riviéres des territoires des Hautes Parties contractantes, il ne sera accordé aux navires nationaux aucun privilége ni aucune faveur qui ne le soit également aux navires de l'autre Partie,

la volonté des Hautes Parties contractantes étant que, sous ce rapport aussi, les navires respectifs soient traités sur le pied d'une parfaite égalité. (63)

ARTICLE XIII.

Il est fait exception aux dispositions du présent Traité pour le cabotage dans les territoires de l'une ou de l'autre des Hautes Parties contractantes, dont le régime reste soumis aux lois, ordonnances et règlements des pays respectifs. Il est entendu toutefois que les sujets japonais dans la Monarchie austro-hongroise, et les sujets autrichiens ou hongrois dans le territoire de Sa Majesté l'Empereur du Japon jouiront, pour tout ce qui concerne le cabotage, des droits et priviléges qui sont ou seront accordés par ces mêmes lois, ordonnances et règlements aux sujets de tout autre pays.

Tout navire japonais chargé à l'étranger d'une cargaison destinée en tout ou en partie à deux ou plusieurs ports de l'Autriche ou de la Hongrie et tout navire autrichien ou hongrois chargé à l'étranger d'une cargaison destinée en tout ou en partie à deux ou plusieurs ports du terrtoire de Sa Majesté l'Empereur du Japon pourra, en se conformant aux lois et aux règlements de douane du pays, décharger une partie de sa cargaison dans un port, et continuer son voyage pour l'autre ou les autres ports de destination où le commerce étranger est admis, dans le but d'y décharger une autre partie ou le reste de sa cargaison d'origine.

Le Gouvernement japonais concède en outre aux navires autrichiens et hongrois de continuer, comme par le passé, et pour toute la durée du présent Traité, à transporter des cargaisons entre les ports ouverts de l'Empire, à l'exception des ports d'Osaka, de Niigata et d'Ebisu-Minato. (64)

ARTICLE XIV.

Tout vaisseau de guerre ou navire de commerce de l'une on de l'autre des Hautes Parties contractantes qui serait forcé, par le mauvais temps ou pour toute autre raison, de se réfugier dans un port de l'autre, aura la liberté de s'y faire réparer, de s'y pourvoir de tous les approvisionnements dont il aura besoin et de reprendre la mer, sans payer d'autres taxes que celles qui seraient acquittées en pareille circonstance par les navires nationaux. Dans le cas cependant où le capitaine d'un navire de commerce se trouverait dans la néces-

sité de vendre une partie de sa cargaison pour payer les frais, il sera obligé de se conformer aux règlements et tarifs du lieu où il aurait relâché.

S'il arrive qu'un vaisseau de guerre ou un navire de commerce de l'une des Hautes Parties contractantes échoue ou fasse naufrage sur les côtes de l'autre, les autorités locales en informeront sans retard le Consul Général, le Consul, le Vice-Consul ou l'Agent consulaire le plus voisin.

Toutes les opérations relatives au sauvetage des navires japonais naufragés ou échoués dans les eaux territoriales de l'Autriche ou de la Hongrie auront lieu conformément aux lois, ordonnaces et règlements de l'Autriche et de la Hongrie, et, réciproquement, toutes les mesures de sauvetage relatives oux navires autrichiens ou hongrois naufragés ou échoués dans les eaux territoriales de Sa Majesté l'Empereur du Japon, auront lieu conformément aux lois, ordonnances et réglements du Japon.

Tous navires ou vaisseaux ainsi échoués ou naufragés, tous débris et accessoires, toutes fournitures leur appartenant, et tous effets et marchandises sauvés desdits navires ou vaisseaux, y compris ceux qui auraient été jetés à la mer ou les produits desdits objets, s'ils sont vendus, ainsi que tous papiers trouvés à bord de ces navires ou vaisseaux échoués ou naufragés, seront remis aux propriétaires ou à leurs représentants, quand ils les réclameront. Dans le cas où ces propriétaires ou représentants ne se trouveraient pas sur les lieux, lesdits produits ou objets seront remis aux Consuls Généraux, Consuls, Vice-Consuls ou Agents consulaires respectifs, sur leur réclamation, dans le délai fixé par les lois du pays, et ces officiers consulaires, propriétaires ou représentants payeront seulement les dépenses occasionnées pour la conservation desdits objets ainsi que les frais de sauvetage ou autres dépenses auxquels seraient soumis, en cas de naufrage, les navires nationaux.

Les effets et marchandises sauvés du naufrage seront exempts de tous droits de douane, à moins qu'ils n'entrent dans la consommation intérieure, auquel cas ils payeront les droits ordinaires.

Dans le cas où un navire appartenant aux sujets de l'une des Hautes Parties contractantes ferait naufrage ou échouerait sur les territoires de l'autre, les Consuls Généraux, Consuls, Vice-Consuls ou Agents consulaires respectifs seront autorisés, en l'absence du propriétaire, capitaine ou autre représentant du propriétaire, à prêter leur appui officiel pour procurer toute l'assistance nécessaire aux sujets des Etats respectifs. Il en sera de même dans le cas où le

propriétaire, capitaine ou autre représentant serait présent, et demanderait une telle assistance. (64)

ARTICLE XV.

Tous les navires qui, conformément aux lois japonaises, sont considérés comme navires japonais et tous les navires qui, conformément aux lois autrichiennes ou hongroises sont considérés comme navires autrichiens ou hongrois seront, respectivement, considérés comme navires japonais et autrichiens ou hongrois pour l'application du présent Traité. (66)

ARTICLE XVI.

Si un marin déserte d'un vaisseau de guerre ou d'un navire de commerce appartenant à l'une ou à l'autre des Hautes Parties contractantes sur les territoires de l'autre, les autorités locales seront tenues de prêter toute assistance en leur pouvoir pour l'arrestation et la remise de ce déserteur, sur la demande qui leur sera adressée par le Consul du pays auquel appartient le navire ou vaisseau du déserteur ou par le représentant dudit Consul.

Il est entendu que cette stipulation ne s'appliquera pas aux sujets du pays où la désertion a eu lieu. (66)

ARTICLE XVII.

Les Hautes Parties contractantes conviennent que, dans toutes les matières relatives au commerce et à la navigation, tout privilége, faveur ou immunité quelconque que l'une d'Elles a déjà accordés ou accorderait à l'avenir au Gouvernement, aux navires ou aux sujets de tout autre Etat, seront étendus immédiatement et sans condition à l'autre Partie contractante, leur intention étant que, pour ce qui concerne le commerce et la navigation, les Hautes Parties contractantes jouissent, sous tous les rapports, du traitement de la nation la plus favorisée. (66)

ARTICLE XVIII.

Les sujets de chacune des Hautes Parties contractantes jouiront, sur les territoires de l'autre, de la même protection que les nationaux relativement aux patentes, aux dessins et modèles, aux marques de fabrique ou de commerce, aux raisons sociales et aux noms, en remplissant les formalités prescrites par la loi. (66)

ARTICLE XIX.

Chacune des Hautes Parties contractantes pourrra nommer des Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents consulaires dans tous les ports, villes et places de l'autre Partie, sauf dans les localités où il y aurait inconvénient à admettre de tels officiers consulaires.

Cette exception ne sera cependant pas faite à l'égard de l'une des Parties contractantes, sans l'être également à l'égard de toutes les autres Puissances.

Les Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents consulaires exerceront toutes leurs fonctions et jouiront de tous les priviléges, exemptions et immunités qui sont ou seront accordés aux officiers consulaires de la nation la plus favorisée. (67)

ARTICLE XX.

Les Hautes Parties contractantes sont convenues de ce qui suit :

Les divers quartiers étrangers qui existent au Japon seront incorporés aux communes respectives japonaises et feront dès lors partie du système municipal du Japon.

Les autorités japonaises compétentes assumeront en conséquence toutes les obligations municipales qui résultent de ce nouvel état de choses et les fonds et biens municipaux qui pourraient appartenir à ces quartiers seront, de plein droit, transférés auxdites autorités japonaises.

Lorsque les changements ci-dessus indiqués auront été effectués, les baux à perpétuité, en vertu desquels les étrangers possèdent actuellement des propriétés dans lesdits quartiers seront confirmés et les propriétés de cette nature ne donneront lieu à aucuns impôts, taxes, charges, contributions ou conditions quelconques autres que ceux expressément stipulés dans les baux en question. Il est entendu toutefois qu'aux autorités consulaires dont il y est fait mention seront substituées les autorités japonaises.

Les droits de possession sur lesdits biens fonciers pourront être librement aliénés à l'avenir par leurs possesseurs à des indigènes ou étrangers, sans qu'ils soient tenus de demander, comme à présent, pour certains cas, l'approbation des autorités consulaires ou japonaises.

Les terrains que le gouvernement japonais aurait concédés exempts de rente vu l'usage public auquel ils étaient affectés, resteront sous la réserve des droits de la souveraineté territoriale, affranchis d'une manière permanente de tous impôts, taxes et charges et ils ne seront point détournés de l'usage auquel ils étaient primitivement destinés. (67)

ARTICLE XXI.

Les dispositions du présent Traité sont applicables aux pays qui appartiennent à présent ou appartiendront à l'avenir au territoire douaniér de l'une des Hautes Parties contractantes. (68)

ARTICLE XXII.

A dater de la mise en vigueur du présent Traité dans toutes ses parties, seront abrogés le Traité du quatorzième jour du neuvième mois de la deuxième année de Meiji, correspondant au 18 octobre 1869 et tous les Arrangements et Conventions conclus entre les Hautes Parties contractantes existant antérieurement à cette date. En conséquence, la juridiction exercée par les tribunaux consulaires austro-hongrois au Japon et les priviléges, exemptions et immunités exceptionnels dont les sujets autrichiens ou hongrois jouissaient en matiére juridictionnelle seront supprimés de plein droit et sans qu'il soit besoin de notification, de jour de la mise en vigueur du présent Traité; et les Autrichiens et les Hongrois seront dès lors soumis à la juridiction des tribunaux japonais. (68)

ARTICLE XXIII.

Le présent Traité, à l'exception de l'article XVIII, n'entrera en vigueur qu'une année après que le Gouvernement de Sa Majesté l'Empereur du Japon aura notifié à la Monarchie austro-hongroise son intention de le voir mis à exécution, mais en aucun cas avant le 17 juillet 1899. Le présent Traité restera obligatoire pendant une période de douze ans à partir du jour où il aura été mis à exécution.

Chacune des Hautes Parties contractantes aura le droit, à un moment quelconque aprés que onze années se seront écoulées depuis l'entrée en vigueur du présent Traité, de notifier à l'autre Partie, son intention d'y mettre fin, et à l'expiration du douzième mois qui suivera cette notification, le Traité cessera et expirera entièrement.

L'article XVIII du présent Traité sera mis en vigueur au moment de l'échange des ratifications dudit Traité et restera valable—à moins que les Hautes Parties contractantes ne conviennent pas d'une disposition contraire—jusqu'à ce que les autres articles du Traité cesseront d'être obligatoires.

Toutefois l'alinéa I de l'article V du Traité pourra être dénoncé à toute époque par l'Autriche-Hongrie et dans ce cas ladite disposition de cet article cessera d'être en vigueur douze mois après sa dénonciation. (68)

ARTICLE XXIV.

Le présent Traité sera ratifié par les Hautes Parties contractantes et les ratifications en seront échangées à Vienne ou à Tokio, aussitôt que faire se pourra. (69)

En foi de quoi, les Plénipotentiaires l'ont signé et l'ont revétu de leurs cachets respectifs.

Fait en double expédition à Vienne, le cinquième jour du douziéme mois de la trentième année de Meiji, correspondant au cinq décembre mil huit cent quatre-vingt-dix-sept.

(L. S.) K. TAKAHIRA m. p.
(L. S.) GOLUCHOWSKI m. p.

PROTOCOLE FINAL.

Au moment de procéder à la signature du Traité de commerce et de navigation conclu en date de ce jour, les Plénipotentiaires soussignés sont convenus des dispositions suivantes :

1. AD ARTICLE I DU TRAITE.

Le Gouvernement japonais consent, en attendant l'ouverture complète du pays aux sujets autrichiens et hongrois, d'étendre le système existant des passeports de façon à permettre auxdits sujets, sur la production d'un certificat favorable émanant de la Légation anstro-hongroise à Tokio ou de l'un quelconque des Consulats austro-hongrois dans les ports japonais ouverts, d'obtenir sur leur demande, du Département Impérial des affaires étrangères à Tokio ou

des autorités principales de la Préfecture dans laquelle est situé un port ouvert, des passeports valables pour toute période n'excédant pas douze mois. Il est bien entendu que, sous cette réserve, les lois et règlements existants et applicables aux sujets autrichiens ou hongrois qui voyagent dans l'Empire du Japon sont maintenus. (70)

2. AD ARTICLE I ET III.

Il est convenu que les sujets des Hautes Parties contractantes seront admis dans les territoires de l'autre, de la même manière que les nationaux, à l'acquisition et à la possession d'hypothèques sur des immeubles. (70)

3. AD ARTICLE I ET XIX.

En ce qui concerne la compétance des fonctionaires consulaires ainsi que l'assistance judiciaire en matière civile et pénale et l'extradition des criminels, les Hautes Partes contractantes s'accorderont, sous réserve de pleine réciprocité, le traitement de la nation la plus favorisée, aussi longtemps qu'elles n'auront pas réglé cette matière par un arrangement spécial. (70)

4. AD ARTICLE V.

Un mois après l'échange des ratifications du Traité de commerce et de navigation signé ce jour, le tarif d'importation actuellement appliqué aux articles importés de la Monarchie austro-hongroise au Japon cessera d'être en vigueur. A partir du même moment, le nouveau tarif de douane japonais ainsi que les droits de faveur stipulés dans les autres Traités conclus entre le Japon et les Etats étrangers seront applicables aux articles produits ou fabriqués en Autriche-Hongrie à leur importation au Japon, tout en maintenant le traitement de la nation la plus favorisée garanti par les stipulations de l'article XX du Traité existant entre les Hautes Parties contractantes aussi longtemps que lesdites stipulations resteront en vigueur, puis subséquemment des articles V et XVII du Traité signé cejourd'hui.

Toutefois, il est entendu que les modifications qui seraient apportées ultérieurement au tarif douanier japonais devront être publiées six mois avant leur application aux articles produits ou fabriqués dans la Monarchie austro-hongroise.

Rien de ce qui est contenu dans le Traité, dans ce Protocole ou dans la

Convention additionnelle signée cejourd'hui ne pourra être tenu comme limitant ou déterminant le droit de l'Autriche-Hongrie et du Japon, de restreindre ou de prohiber l'importation des drogues, médecines aliments ou breuvages falsifiés, d'imprimés, peintures, livres, cartes, lithogaphies, gravures indécentes ou obscènes, ou d'autres objets pouvant offrir quelque danger pour la sécurité ou la morale publique, d'articles fabriqués en violation des lois qui, en Autriche, en Hongrie et au Japon, réglementent les brevets d'invention, les marques de fabrique ou la propriété littéraire. Ce droit réciproque s'étendra également aux prohibitions sanitaires ou autres provenant de la nécessité de protéger la santé des personnes, ainsi que la conservation du bétail et des plantes utiles à l'agriculture.

Il est convenu que, dans le cas où l'application du principe de la nation la plus favorisée en matière des droits de douane garanti par le Traité signé cejourd'hui et par le présent Protocole serait reconnue non satisfaisante dans la pratique, les Hautes Parties contractantes s'entendront sur des droits de faveur applicables aux articles ayant un intérêt spécial pour chacune d'Elles.

Tout en se réservant l'exécution ultérieure de cette clause, les Hautes Partise contractantes sont convenues déjà actuellement d'une Convention additionnelle signée cejourd'hui qui détermine jusqu'au 31 décembre 1903 le régime d'importation applicable à certains articles d'un pareil intérêt.

Sous tout autre rapport, les dispositions du Traité actuel ainsi que des Arrangements et Conventions subsidiairement conclus entre les Hautes Parties contractantes resteront obligatoires jusqu'à la mise en vigueur du Traité de commerce et de navigation signé cejourd'hui. (70)

5. AD ARTICLE XVIII.

Les Hautes Parties contractantes se réservent de régler par une Convention spéciale la protection de patentes, dessins et modèles et entameront en son temps les négociations nécessaires.

Le Gouvernement japonais s'engage à adhérer, avant la cessation de la juridiction consulaire austro-hongroise au Japon, à l'Union internationale de Paris concernant la protection de la propriété industrielle. (72)

6. AD ARTICLE XXII.

Il est convenu que, malgré la cessation de la juridiction consulaire austro-

hongroise au Japon, amenée *ipso facto* par l'entrée en vigueur entière du Traité de commerce et de navigation signé cejourd'hui, cette juridiction sera maintenue par rapport à toutes les affaires déjà pendantes au moment de la mise en vigueur complète du Traité et restera obligatoire jusqu'à leur décision définitive.

Le présent protocole sera considéré comme approuvé et sanctionné par les Hautes Parties contractantes sans autre ratification spéciale par le seul fait de l'échange des ratifications du Traité auquel il se rapporte.

Ce protocole prendra fin en même temps que ledit Traité cessera d'être obligatoire. (72)

En foi de quoi, les Plénipotentiaires des Hautes Parties contractantes ont signé le présent Protocole et l'ont revêtu du cachet de leurs armes.

Fait en double expédition à Vienne, le cinquième jour du douzième mois de la trentième année de Meiji, correspondant au cinq décembre 1897.

(L. S.) K. TAKAHIRA m. p. (L. S.) GOLUCHOWSKI m. p.

CONVENTION ADDITIONNELLE.*

Les Soussignés, Envoyé extraordinaire et Ministre plénipotentiaire de Sa Majesté l'Empereur du Japon à Vienne, et Ministre des affaires étrangères de Sa Majesté l'Empereur d'Autriche, Roi de Bohême, etc. et Roi Apostolique de Hongrie, en vertu de la disposition du Protocole final annexé au Traité de commerce et de navigation conclu cejourd'hui, sont convenus de ce qui suit :

ARTICLE I.

En même temps que le nouveau tarif de douane japonais (alinéa I de la section 4 du Protocole final ad article V du Traité de commerce et de navigation ci-dessus mentionné) entrera en vigueur, les articles ci-après mentionnés, produits ou fabriqués dans la Monarchie austro-hongroise seront soumis à leur importation au Japon aux droits suivants :

*N. B.—Cette convention additionnelle qui est déjà mise hors de vigueur en vertu de son Art IV est ici insérée, parcequ'elle fait l'objet des lettres si-dessous mentionnées.

Les ustensiles de cuisine ou vaisselles, ainsi que les autres ouvrages en tôle de fer ou d'acier, émaillés, décorés ou non ; Les lampes, parties et accessoires de lampes en métal ou en verre ; Les meubles de toute sorte en bois courbé ; La bijouterie fausse ; Les boutons de toute sorte ; Les objets en verre, les cristaux et la vitrification, excepté le verre à vitres ;	10% *ad valorem.*
La poudre insecticide	5% *ad valorem.*
Les chevaux	exempts.

Les droits *ad valorem* seront calculés sur le prix réel des marchandises au lieu d'achat, de production ou de fabrication, augmenté des frais de transport et d'assurance dudit lieu jusqu'au port de déchargement, ainsi que des frais de commission, s'il en existe. (73)

ARTICLE II.

A partir du jour où les articles de l'Autriche-Hongrie seront traités au Japon de la manière stipulée ci-dessus, les articles produits ou fabriqués dans l'Empire du Japon, jouiront à leur importation dans le territoire douanier austro-hongrois, du traitement de la nation la plus favorisée.

Les articles produits ou fabriqués au Japon ci-dessous mentionnés seront soumis à leur importation dans le territoire douanier austro-hongrois aux droits d'entrée suivants :—

	florins en or les 100 Kg.
Soie en cocons, déchets de soie, non filés	... exempts
Soie dévidée ou filée, écrue	... exempte
Bourre de soie (déchets de soie filés), écrue	... exempte
Tissus de soie pure, unis	... 200 —
Tresses de paille (en forme de rubans de toute sorte), non combinées avec d'autres matières	2 —
Papier de tenture	18 —
Porcelaine	
blanche	5 —
de couleur, lisérée, peinte, imprimée, dorée, argentée	10 —
Cuivre brut, même vieux, en morceaux et débris	exempt.

(74)

ARTICLE III.

Dans le cas où, pendant la durée de la présente Convention, il serait accordé par le Japon à un tiers Etat pour les marchandises dénommées dans l'article I de la présente Convention un traitement plus favorable, ce traitement profitera également, en vertu des dispositions contenues dans la section 4 ad article V du protocole final annexé au Traité de commerce et de navigation signé cejourd'hui, aux marchandises similaires produites ou fabriquées dans la Monarchie austro-hongroise.

De même il est entendu que, dans le cas où l'Autriche-Hongrie accorderait pendant la durée de la présente Convention à un tiers Etat pour les marchandises dénommées dans l'article II de la présente Convention des droits d'entrée plus réduits, ces droits seront appliqués également aux marchandises similaires produites ou fabriquées au Japon. (74)

ARTICLE IV.

La présente Convention entrera en vigueur le jour où le nouveau tarif de douane japonais sera appliqué et restera exécutoire jusqu'au 31 décembre 1903.

Dans le cas où l'Autriche-Hongrie aurait notifié en vertu de la disposition contenue dans l'article XXIII du Traité de commerce et de navigation signé cejourd'hui son intention de faire cesser les effets de l'alinéa 1 de l'article V dudit Traité, la présente Convention sera mise hors de vigueur douze mois après cette notification.

Elle sera considérée comme approuvée et sanctionnée par les Hautes Parties contractantes sans autre ratification spéciale par le seul fait de l'échange des ratifications du Traité cejourd'hui. (75)

En foi de quoi, les Plénipotentiaires des Hautes Parties contractantes ont signé la présente Convention et l'ont revêtu du cachet de leurs armes.

Fait à Vienne, en double expédition, le cinquième jour du douzième mois de la trentième année de Meiji, correspondant au cinq décembre 1897.

(L. S.) K. TAKAHIRA m. p. (L. S.) GOLUCHOWSKI m. p.

Au moment de procéder à la signature du Traité de commerce et de navigation conclu, en date de ce jour, entre l'Autriche-Hongrie et le Japon, le

soussigné Ministre Impérial et Royal des affaires étrangères de l'Autriche-Hongrie, désirant mettre hors de doute plusieurs questions traitées dans le courant des négociations, déclare qu'il a signé ledit Traité dans les suppositions suivantes ; savoir que :

1) bien que la législation japonaise actuellement en vigueur n'admette pas encore les sujets étrangers à l'acquisition de la propriété d'un immeuble au Japon, cette disposition ne déroge pas à la faculté des sujets autrichiens ou hongrois d'acquérir, dans les buts visés par les articles I et III du Traité, aux mêmes conditions que les nationaux et en conformité des lois régissant cette matière, le droit d'emphytéose, de superficie et tout autre droit réel sur des immeubles et d'assurer aux droits personnels résultant des contrats de bail et de fermage, le caractère d'un droit réel par l'inscription dans les registres y affectés ;

2) que le Gouvernement Impérial du Japon prendra en considération de faire construire selon l'exigence du commerce, des magasins et des entrepôts réels dans toutes les places du pays qui ont importance spéciale pour le commerce ;

3) que, l'Etat japonais restant propriétaire des terrains concédés pour l'usage des quartiers étrangers visés dans l'article XX du Traité, leurs possesseurs ou leurs ayants-cause n'auront à payer pour ces immeubles, à l'exception de la rente qu'ils ont à verser en vertu du contrat, aucune taxe ou imposition ;

4) que les droits légalement acquis avant la mise en vigueur ou pendant la durée du Traité par les sujets de l'une des Hautes Parties contractantes dans les territoires de l'autre resteront valables sans qu'une modification y puisse être apportée après l'expiration du Traité.

Le Soussigné, en priant M. l'Envoyé extraordinaire et Ministre plénipotentiaire de Sa Majesté l'Empereur du Japon, M. TAKAHIRA, de vouloir bien prendre acte de ce qui précède, a l'honneur d'ajouter qu'il attacherait du prix à être informé sur l'époque que choisira le Gouvernement Impérial japonais pour la notification prévue dans l'alinéa I de l'article XXIII du Traité.

Le Soussigné saisit cette occasion pour renouveler à M. TAKAHIRA l'assurance de sa haute considération. (76)

Vienne, le cinq décembre 1897.

(L. S.) GOLUCHOWSKI m. p.

Le Soussigné, Envoyé extraordinaire et Ministre plénipotentiaire de Sa Majesté l'Empereur du Japon, a l'honneur d'informer Son Excellence Monsieur le Comte Goluchowski, Ministre Impérial et Royal des affaires étrangères de l'Autriche-Hongrie, en réponse à Sa Note en date d'aujourd'hui, que les suppositions y énoncées sous les Nos. 1–4 et qui ont pour objet l'acquisition des droits réels sur les biens-fonds, l'établissement de magasins et d'entrepôts réels, l'exemption des terrains dans les concessions étrangères et la conservation des droits acquis à l'expiration du Traité, sont exactes en tous les points.

Pour ce qui concerne la demande de Son Excellence Monsieur le Comte Goluchowski, énoncée à la fin de ladite Note, le Soussigné a l'honneur de faire la communication suivante :

Le Gouvernement Impérial japonais, jugeant désirable que les codes de l'Empire du Japon soient effectivement en vigueur au moment où le Traité existant entre le Japon et l'Autriche-Hongrie cessera d'être obligatoire, s'engage à ne pas faire la notification prévue dans le premier alinéa de l'article XXIII du Traité signé cejourd'hui avant que les parties desdits codes qui sont soumises à un nouvel examen ne soient entièrement mises en vigueur.

Le Soussigné saisit cette occasion pour renouveler à Son Excellence Monsieur le Comte Goluchowski les assurances de ses sentiments de la plus haute considération. (78)

Vienne, le cinq décembre 1897.

(L. S.) K. TAKAHIRA m. p.

Le Soussigné, Envoyé extraordinaire et Ministre plénipotentiaire de Sa Majesté l'Empereur du Japon, agissant d'après les instructions qu' il a reçues de son Gouvernement, a l'honneur d'exprimer l'espoir que le Gouvernement Impérial et Royal n'aura pas d'objection à faire à la mise en vigueur du nouveau Traité entre le Japon et l'Autriche-Hongrie qui, d'après ce qui a été déjà communiqué au Ministère Impérial et Royal des affaires étrangères en date du 17 juillet dernier, aura lieu le 17 juillet 1899.

Pour ce qui concerne le tarif général japonais et la Convention additionnelle avec l'Autriche-Hongrie, le Gouvernement Impérial propose de les mettre en vigueur à partir du 1er janvier 1899—date à laquelle les tarifs conventionnels avec les autres Etats étrangers seront également activés et appliqués aux produits autrichiens ou hongrois, comme il a été stipulé dans le paragraphe 4 du Protocole final du dit Traité.

En exprimant le désir du Gouvernment japonais que l'Autriche-Hongrie veuille bien prendre acte de la présente communication et qu'Elle consente qu'à partir des dates ci-dessus indiquées, les dits Traité, Convention et tarif général soient mis en vigueur, le Soussigné saisit cette occasion pour renouveler à Son Excellence Monsieur le Comte Goluchowski, les assurances de ses sentiments de la plus haute considération.

Vienne, le 17 août 1898.

Signé : K. TAKAHIRA m. p.

A Son Excellence
Monsieur le Comte Agenor Goluchowski,
Ministre de la Maison Impériale et Royale
et des affaires étragères
Vienne.

Le soussigné, Ministre de la Maison Impériale et Royale et des affaires étrangères a l'honneur d'accuser réception de la note que l'Envoyé extraordinaire et Ministre plénipotentiaire du Japon a bien voulu lui adresser en date du 17 c. et se permet de répondre que l'Autriche-Hongrie ne s'oppose pas à ce que le nouveau Traité de commerce et de navigation conclu entre l'Autriche-Hongrie et le Japon, soit mis en vigueur à partir du 17 juillet 1899 ; de même Elle ne s'oppose pas à ce que le nouveau tarif général du Japon et la Convention additionnelle conclue entre la Monarchie austro-hongroise et le Japon soient activés à partir du 1er janvier 1899.

Il est toutefois entendu que les tarifs conventionnels entre le Japon et les autres Puissances contractants, également à mettre en vigueur à partir du 1er

janvier 1899, seront appliqués aux produits autrichiens ou hongrois, conformément aux dispositions du § 4 protocole final dudit Traité. De même, au cas, où la juridiction consulaire au Japon serait maintenue en faveur d'une des Puissances contractantes au delà du 17 juillet 1899, le Traité d'amitié, de commerce et de navigation signé entre l'Autriche-Hongrie et le Japon le 18 octobre 1869 restera en vigueur aussi longtemps que cette juridiction consulaire sera exercée.

Le Soussigné saisit cette occasion pour renouveler à Monsieur Takahira les assurances de ses sentiments de la plus haute considération.

Vienne, le 17 août 1898.

Signé : Goluchowski.

A Monsieur Takahira Kogoro,
Envoyé extraordinaire et Ministre plénipotentiaire
du Japon
Vienne.

Le soussigné, Envoyé extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur du Japon, a l'honneur d'accuser réception de la note N°$\frac{41598}{9}$que Son Excellence Monsieur le Comte Goluchowski, Ministre de la Maison Impériale et Royale et des Affaires étrangères, a bien voulu lui envoyer en date du 17 courant au sujet de la mise en vigueur du nouveau traité et de la convention additionnalle conclus entre le Japon et l'Autriche-Hongrie et du tarif général japonais.

En prenant acte, au nom du Gouvernement Impérial de la communication qui forme l'objet de la susdite note, le soussigné saisit cette occasion pour renouveler, à Son Excellence Monsieur le Comte Goluchowski, les assurances de ses sentiments de la plus haute considération.

Vienne, le 17 Août 1898.

Signé : TAKAHIRA.

A Son Excellence
Monsieur le Comte Goluchowski,
Ministre de la Maison
Ile. et Rle. et des Affaires Etrangères,
etc. etc. etc.

BELGIQUE.

TRAITÉ DE COMMERCE ET DE NAVIGATION.

Signé à Bruxelles, le 22e jour du 6e mois de la 29e année de Meiji (1896); ratifié le 26e jour du 10e mois de la 29e année de Meiji (1896); ratifications échangées à Bruxelles, le 18e jour du 12e mois de la 29e année de Meiji (1896); et promulgué le 28e jour du 12e mois de la 29e année de Meiji (1896).

Sa Majesté l'Empereur du Japon et Sa Majesté le Roi des Belges, animés d'un égal désir de maintenir les bons rapports déjà heureusement établis entre Eux, en étendant et en augmentant les relations entre leurs États respectifs, et persuadés que ce but ne saurait être mieux atteint que par la révision des traités jusqu'ici en vigueur entre les deux Pays, ont résolu de procéder à cette révision sur les bases de l'équité et de l'intérêt mutuel, et ont nommé, à cet effet, pour Leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon,

M. le Vicomte Aoki Siuzo, Junii, Grand Cordon de l'Ordre Impérial du Soleil Levant, Son Envoyé Extraor-

TREATY OF COMMERCE AND NAVIGATION.

Signed at Brussels, 22nd day of 6th month, 29th year of Meiji (1896); Ratified 26th day of 10th month, 29th year of Meiji (1896); Ratifications exchanged at Brussels, 18th day of 12th month, 29th year of Meiji (1896); and Promulgated 28th day of 12th month, 29th year of Meiji (1896).

His Majesty the Emperor of Japan and His Majesty the King of the Belgians, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two Countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan,

Viscount Aoki Siuzo, Junii, Grand Cordon of the Imperial Order of the Rising Sun, His Envoy Extraordinary

dinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

Et Sa Majesté le Roi des Belges,

M. Paul de Favereau, Chevalier de l'Ordre de Léopold, etc., Membre de la Chambre des Représentants, Son Ministre des Affaires Etrangères,

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les articles suivants :

ARTICLE PREMIER.

Les sujets de chacune des deux Hautes Parties contractantes auront toute liberté d'entrer, de voyager ou de résider en un lieu quelconque des territoires et possessions de l'autre, et y jouiront d'une pleine et entière protection pour leurs personnes et leurs propriétés.

Ils auront un accès libre et facile aux tribunaux pour la poursuite ou la défense de leurs droits ; ils auront, sur le même pied que les sujets du Pays, la faculté de choisir et d'employer des avoués, des avocats et des mandataires afin de poursuivre et de défendre leurs droits devant ces tribunaux, et, quant aux autres matières qui se rapportent à l'administration de la justice, ils jouiront de tous les droits et priviléges dont jouissent les sujets du Pays.

Pour tout ce qui concerne le droit

and Minister Plenipotentiary to His Majesty the King of the Belgians ;

And His Majesty the King of the Belgians,

M. Paul de Favereau, Knight of the Order of Leopoled, etc., Member of the House of Representatives, His Minister for Foreign Affairs ;

Who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel or reside in any part of the dominions and possessions of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and pirvileges enjoyed by native subjects.

In whatever relates to rights of re-

de résidence et de voyage, la possession des biens et effets mobiliers, de quelque espèce que ce soit, la transmission des biens mobiliers par succession testamentaire ou autre, et le droit de disposer, de quelque manière que ce soit, des biens de toutes sortes qu'ils peuvent légalement acquérir, les sujets de chacune des deux Parties contractantes jouiront, dans les territoires et possessions de l'autre, des mêmes priviléges, libertés et droits, et ne seront soumis, sous ce rapport, à aucun impôt ou charge plus élevé que les sujets du Pays ou les sujets ou citoyens de la nation la plus favorisée. Les sujets de chacune des Parties contractantes jouiront, dans les territoires et possessions de l'autre, d'une liberté entière de conscience, et pourront, en se conformant aux lois, ordonnances et règlements, se livrer à l'exercice privé ou public de leur culte ; ils jouiront aussi du droit d'inhumer leurs nationaux respectifs suivant leurs coutumes religieuses, dans des lieux convenables et appropriés qui seront établis et entretenus à cet effet.

Ils ne seront contraints, sous aucun prétexte, à payer des charges ou taxes autres ou plus élevées que celles qui sont ou seront imposées aux sujets du Pays, ou aux sujets ou citoyens de la nation la plus favorisée.

Les sujets de chacune des Parties

sidence and travel; to the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort and in any manner whatsoever, which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the dominions and possessions of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other entire liberty of conscience, and, subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation.

The subjects of either of the Con-

contractantes qui résident dans les territoires ou possessions de l'autre, ne seront astreints à aucun service militaire obligatoire, soit dans l'armée ou la marine, soit dans la garde nationale ou la milice ; ils seront exempts de toutes contributions imposées en lieu et place du service personnel, et de tous emprunts forcés, de toutes exactions ou de contributions militaires. (81)

ARTICLE II.

Il y aura, entre les territoires et possessions des deux Hautes Parties contractantes, liberté réciproque de commerce et de navigation.

Les sujets de chacune des Hautes Parties contractantes pourront exercer en quelque lieu que ce soit des territoires et possessions de l'autre, le commerce en gros ou en détail de tous produits, objets fabriqués et marchandises de commerce licite, soit en personne, soit par leurs représentants, tant seuls qu'en société avec des étrangers ou des sujets du Pays ; ils pourront y posséder ou louer et occuper les maisons, les manufactures, les magasins, les boutiques et les locaux qui peuvent leur être nécessaires, et louer des terrains à l'effet d'y résider ou d'y faire le commerce, le tout en se conformant aux lois, aux règlements de police et de douane du Pays comme les nationaux eux-mêmes.

tracting Parties residing in the dominions or possessions of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia ; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions. (81)

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties.

The subjects of each of the High Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects, and they may there own or hire and occupy the houses, manufactories, warehouses, shops and premises, which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native subjects.

Ils auront pleine liberté de se rendre avec leurs navires et leurs cargaisons dans tous les lieux, ports et rivières des territoires et possessions de l'autre, qui sont ou pourront être ouverts au commerce étranger, et ils jouiront respectivement, en matière de commerce et de navigation, du même traitement que les sujets du Pays, ou les sujets ou citoyens de la nation la plus favorisée, sans avoir à payer aucuns impôts, taxes ou droits, de quelque nature ou dénomination que ce soit, perçus au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou établissements quelconques autres ou plus élevés que ceux imposés aux sujets du Pays, ou aux sujets ou citoyens de la nation la plus favorisée, en se conformant, toujours, aux lois, ordonnances et règlements de chaque pays. (82)

ARTICLE. III.

Les habitations, manufactures, magasins et boutiques des sujets de chacune des Hautes Parties contractantes dans les territoires et possessions de l'autre, ainsi que les terrains qui en dépendent, servant soit à la demeure, soit au commerce, seront respectés.

Il ne sera pas permis de procéder à des perquisitions ou visites domiciliaires dans ces habitations et terrains, ou

They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the dominions and possessions of the other, which are, or may be, opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation, subject always to the laws, ordinances and regulations of each country. (82)

ARTICLE III.

The dwellings, manufactories, warehouses and shops of the subjects of each of the High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises,

bien d'examiner ou d'inspecter les livres, papiers ou comptes, sauf dans les conditions et formes prescrites par les lois, ordonnances et règlements applicables aux sujets du Pays. (83)

ARTICLE IV.

Il ne sera imposé à l'importation dans les territoires et possessions de Sa Majesté le Roi des Belges de tous articles produits ou fabriqués dans les territoires et possessions de Sa Majesté l'Empereur du Japon, de quelque endroit qu'ils viennent, et à l'importation dans les territoires et possessions de Sa Majesté l'Empereur du Japon, de tous articles produits ou fabriqués dans les territoires et possessions de Sa Majesté le Roi des Belges, de quelque endroit qu'ils viennent, aucuns droits autres ou plus élevés que ceux imposés sur les articles similaires produits ou fabriqués dans tout autre pays étranger. De même, aucune prohibition ne sera maintenue ou imposée sur l'importation dans les territoires et possessions de l'une des Hautes Parties contractantes d'un article quelconque produit ou fabriqué dans les territoires et possessions de l'autre, de quelque endroit qu'il vienne, à moins que cette prohibition ne soit également appliquée à l'importation des articles similaires produits ou fabriqués dans tout autre pays. Cette dernière dis-

or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects of the country. (83)

ARTICLE IV.

No other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of the Belgians of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of His Majesty the King of the Belgians, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other

position n'est pas applicable aux prohibitions sanitaires ou autres provenant de la nécessité de protéger la sécurité des personnes, ainsi que la conservation du bétail et des plantes utiles à l'agriculture. (83)

ARTICLE V.

Il ne sera imposé dans les territoires et possessions de chacune des Hautes Parties contractantes, à l'exportation d'un article quelconque à destination des territoires et possessions de l'autre, aucuns droits ou charges autres ou plus élevés que ceux qui sont ou seront payables à l'exportation des articles similaires à destination d'un autre pays étranger quel qu'il soit ; de même, aucune prohibition ne sera imposée à l'exportation d'aucun article des territoires et possessions de l'une des deux Parties contractantes à destination des territoires et possessions de l'autre, sans que cette prohibition soit également étendue à l'exportation des articles similaires à destination de tout autre pays. (84)

ARTICLE VI.

Les sujets de chacune des Hautes Parties contractantes seront exempts, dans les territoires et possessions de l'autre, de tout droit de transit, et jouiront d'une parfaite égalité de traitement avec les sujets du Pays relative-

country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (83)

ARTICLE V.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country ; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country. (84)

ARTICLE VI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to

ment à tout ce qui concerne l'emmagasinage, les primes, les facilités et les drawbacks. (84)

ARTICLE VII.

Tous les articles qui sont ou pourront être légalement importés, dans les ports des territoires et possessions de Sa Majesté l'Empereur du Japon sur des navires Japonais pourront, de même, être importés dans ces ports sur des navires belges ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les mêmes articles importés par des navires japonais. Réciproquement, tous les articles qui sont ou pourront être légalement importés dans les ports des territoires et possessions de Sa Majesté le Roi des Belges sur des navires belges pourront, de même, être importés dans ces ports sur des navires japonais ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les mêmes articles importés par des navires belges. Cette égalité réciproque de traitement sera accordée indistinctement, soit que ces articles viennent directement des pays d'origine, soit, qu'ils viennent de tout autre lieu.

De la même manière il y aura par-

warehousing, bounties, facilities and drawbacks. (84)

ARTICLE VII.

All articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Belgian vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels ; and, reciprocally, all articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the King of the Belgians in Belgian vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Belgian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be

faite égalité de traitement relativement à l'exportation ; ainsi, les mêmes droits d'exportation seront payés, et les mêmes primes et drawbacks seront accordés, dans les territoires et possessions de chacune des Hautes Parties contractantes, sur l'exportation de tout article qui est ou pourra être légalement exporté, que cette exportation ait lieu sur des navires japonais ou sur des navires belges et quelque soit le lieu de destination, qu'il soit un des ports de chacune des Parties contractantes ou un des ports d'une Puissance tierce. (84)

ARTICLE VIII.

Aucun droit de tonnage, de port, de pilotage, de phare, de quarantaine ou autres droits similaires ou analogues, de quelque nature ou sous quelque dénomination que ce soit, levés au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou des établissements de toutes sortes qui ne seraient également et sous les mêmes conditions imposés, en pareil cas, sur les navires nationaux en général ou les navires de la nation la plus favorisée, ne seront imposés dans les ports des territoires et possessions de chacun des deux Pays, sur les navires de l'autre. Cette égalité de traitement sera appliquée réciproquement aux navires respectifs

perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese or in Belgian vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power. (84)

ARTICLE VIII.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or

de quelque endroit qu'ils arrivent et quel que soit le lieu de destination. (85)

ARTICLE IX.

En tout ce qui concerne le placement, le chargement et le déchargement des navires dans les ports, bassins, docks, rades, havres ou rivières des territoires et possessions des deux Pays, aucun privilége ne sera accordé aux navires nationaux, qui ne serait également accordé aux navires de l'autre Pays, l'intention des Hautes Parties contractantes étant que, sous ce rapport aussi, les navires respectifs soient traités sur le pied d'une parfaite égalité. (85)

ARTICLE X.

Le cabotage dans les territoires et possessions de l'une ou de l'autre des Hautes Parties contractantes est excepté des dispositions du présent Traité, et sera régi par les lois, ordonnances et règlements du Japon et de la Belgique respectivement. Il est toutefois entendu que les sujets japonais dans les territoires et possessions de Sa Majesté le Roi des Belges, et les sujets belges dans les territoires et possessions de Sa Majesté l'Empereur du Japon jouiront, sous ce rapport, des droits, qui sont ou pourront être accordés par ces lois, ordonnances et règlements

place they may arrive, and whatever may be their place of destination. (85)

ARTICLE IX.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (85)

ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of Belgium, respectively. It is, however, understood that Japanese subjects in the dominions and possessions of His Majesty the King of the Belgians and Belgian subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to

aux sujets ou citoyens de tout autre pays.

Tout navire japonais chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports des territoires et possessions de Sa Majesté le Roi des Belges, et tout navire belge chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports des territoires et possessions de Sa Majesté l'Empereur du Japon, pourra décharger une partie de sa cargaison dans un port, et continuer son voyage pour l'autre ou les autres ports de destination où le commerce étranger est autorisé, dans le but d'y décharger le reste de sa cargaison d'origine, en se conformant toujours aux lois et aux règlements de douane des deux Pays.

Le Gouvernement Japonais consent cependant à permettre aux navires belges de continuer, comme précédemment, pendant la durée du présent Traité, à transporter leurs cargaisons entre les ports de l'Empire actuellement ouverts, excepté ceux d'Osaka, Niigata et Ebisu-Minato. (85)

ARTICLE XI.

Tout vaisseau de guerre ou navire de commerce de l'une ou de l'autre des Hautes Parties contractantes qui serait forcé par un mauvais temps ou par suite de tout autre danger de s'abriter dans un port de l'autre, aura

the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the King of the Belgians and a Belgian vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and custom-house regulations of the two Countries.

The Japanese Government, however, agrees to allow Belgian vessels to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata and Ebisu-Minato. (85)

ARTICLE XI.

Any ship-of-war or merchant-vessel of either of the High Contracting Parties, which may be compelled by stress of weather or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit

la liberté de s'y faire réparer, de s'y procurer toutes les provisions nécessaires, et de reprendre la mer, sans payer d'autres charges que celles qui seraient payées par les navires nationaux. Dans le cas, cependant, où le capitaine du navire de commerce se trouverait dans la nécessité de vendre une partie de sa cargaison pour payer les frais, il sera obligé de se conformer aux règlements et tarifs du lieu où il aurait relâché.

Si un vaisseau de guerre ou un navire de commerce de l'une des Parties contractantes a échoué ou naufragé sur les côtes de l'autre, les autorités locales en informeront le Consul Général, le Consul, le Vice-Consul ou l'Agent Consulaire du lieu de l'accident, et s'il n'y existe pas de ces officiers consulaires, elles en informeront le Consul Général, le Consul, le Vice-Consul ou l'Agent Consulaire du district le plus voisin.

Toutes les opérations relatives au sauvetage des navires japonais naufragés ou échoués dans les eaux territoriales de Sa Majesté le Roi des Belges, auront lieu conformément aux lois, ordonnances et règlements de la Belgique et, réciproquement, toutes les mesures de sauvetage relatives aux navires belges naufragés ou échoués dans les eaux territoriales de Sa Majesté l'Empereur du Japon, auront lieu conformément

therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of the occurrence, or, if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of His Majesty the King of the Belgians shall take place in accordance with the laws, ordinances and regulations of Belgium; and, reciprocally, all measures of salvage relative to Belgian vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall

aux lois, ordonnances et règlements du Japon.

Tous navires ou vaisseaux ainsi échoués ou naufragés, tous débris et accessoires, toutes fournitures leur appartenant, et tous effets et marchandises sauvés desdits navires ou vaisseaux, y compris ceux qui auraient eté jetés à la mer ou les produits desdits objets, s'ils sont vendus, ainsi que tous papiers trouvés à bord de ces navires ou vaisseaux échoués ou naufragés, seront remis aux propriétaires ou à leurs représentants, quand ils les réclameront. Dans le cas où ces propriétaires ou représentants ne se trouveraient pas sur les lieux, lesdits produits ou objets seront remis aux Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs, sur leur réclamation, dans le délai fixé par les lois du Pays, et ces officiers consulaires, propriétaires ou représentants payeront seulement les dépenses occasionnées pour la conservation desdits objets ainsi que les frais du sauvetage ou autres dépenses auxquels seraient soumis, en cas de naufrage, les navires nationaux.

Les effets et marchandises sauvés du naufrage seront exempts de tous droits de douane, à moins qu'ils n'entrent à la douane pour la consommation intérieure, auquel cas ils payeront les droits ordinaires.

Dans le cas où un navire appartenant

take place in accordance with the laws, ordinances and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to

aux sujets de l'une des Parties contractantes ferait naufrage ou échouerait sur les territoires de l'autre, les Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs seront autorisés, en l'absence du propriétaire, capitaine ou autre représentant du propriétaire, à prêter leur appui officiel pour procurer toute l'assistance nécessaire aux sujets des Etats respectifs. Il en sera de même dans le cas où le propriétaire, capitaine ou autre représentant serait présent, et demanderait une telle assistance. (86)

ARTICLE XII.

Tous les navires qui, conformément aux lois japonaises, sont considérés comme navires japonais, et tous les navires qui, conformément aux lois belges, sont considérés comme navires belges, seront respectivement considérés comme navires japonais et belges pour le but de ce Traité. (88)

ARTICLE XIII.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires de chacune des Hautes Parties contractantes résidant dans les territoires et possessions de l'autre, recevront des autorités locales toute l'assistance qui peut leur être donnée en vertu de la loi pour l'arrestation des déserteurs des navires de leur pays respectif.

the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (86)

ARTICLE XII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to Belgian law, are to be deemed Belgian vessels, shall, for the purposes of this Treaty, be deemed Japanese and Belgian vessels, respectively. (88)

ARTICLE XIII.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the High Contracting Parties residing in the dominions and possessions of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

Il est entendu que cette stipulation ne s'appliquera pas aux sujets du pays où la désertion a eu lieu. (88)

ARTICLE XIV.

Les Hautes Parties contractantes conviennent qu'en tout ce qui concerne le commerce et la navigation, tout privilége, faveur ou immunité que l'une des Parties contractantes a déjà accordé ou accorderait à l'avenir, au Gouvernement, aux navires ou aux sujets ou citoyens de tout autre Etat, sera étendu immédiatement et sans condition au Gouvernement, aux navires au aux sujets de l'autre Partie contractante, leur intention étant que le commerce et la navigation de chaque Pays soient placés, à tous égards, par l'autre, sur le pied de la nation la plus favorisée. (88)

ARTICLE XV.

Chacune des Hautes Parties contractantes pourra nommer des Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents Consulaires dans tous les ports, villes et places de l'autre, sauf dans les localités où il y aurait inconvénient à admettre de tels officiers consulaires.

Cette exception ne sera cependant pas faite à l'égard de l'une des Parties contractantes sans l'être également à

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place. (88)

ARTICLE XIV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, ships, or subjects or citizens of any other State, shall be extended immediately and unconditionally to the Government, ships or subjects of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (88)

ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents, in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made

l'égard de toutes les autres Puissances.

Les Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents Consulaires exerceront toutes leurs fonctions et jouiront de tous les priviléges, exemptions et immunités qui sont ou seront accordés à l'avenir aux officiers consulaires de la nation la plus favorisée. (88)

ARTICLE XVI.

Les sujets de chacune des Hautes Parties contractantes jouiront, dans les territoires et possessions de l'autre, de la même protection que les sujets du Pays relativement aux brevets, marques de fabrique et dessins, en remplissant les formalités prescrites par la loi. (89)

ARTICLE XVII.

Les Hautes Parties contractantes sont d'accord sur l'arrangement suivant :

Les divers quartiers étrangers au Japon seront incorporés aux communes japonaises respectives, et feront dès lors partie du système municipal général du Japon.

Les autorités japonaises compétentes assumeront en conséquence toutes les obligations et devoirs municipaux y relatifs, et les fonds communs et les propriétés, s'il en est, qui appartiennent

likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities, which are, or may hereafter be, granted to Consular officers of the most favoured nation. (88)

ARTICLE XVI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trademarks and designs, upon fulfilment of the formalities prescribed by law. (89)

ARTICLE XVII.

The High Contracting Parties agree to the following arrangement :

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settle-

auxdits quartiers seront, en même temps, transférés auxdites autorités japonaises.

Lorsqu'une telle incorporation aura lieu, les baux perpétuels existants en vertu desquels la propriété est actuellement détenue dans lesdits quartiers seront confirmés, et aucunes conditions, de quelque nature que ce soit, autres que celles contenues dans lesdits baux existants, ne seront imposées par rapport à cette propriété. Il est, toutefois, entendu que les autorités consulaires mentionnées dans lesdits baux seront dans tous les cas remplacées par les autorités japonaises.

Toutes les terres qui peuveut avoir été antérieurement concédées libres de rentes par le Gouvernement japonais pour l'usage public desdits quartiers, seront, sauf le droit de domaine éminent, perpétuellement maintenues libres de toutes taxes et charges affectées à l'usage public pour lequel elles avaient été originairement réservées. (89)

ARTICLE XVIII.

Le présent Traité prendra, du jour où il entrera en vigueur, lieu et place du Traité d'Amitié, de Commerce et de Navigation du 1er Août 1866 et de la Convention additionnelle du 4 Octobre 1866, et à partir du même jour, lesdits Traité et Convention, de même que les règlements commerciaux annexés au

ments, shall at the same time be transferred to the said Japanese Authorities.

When such incorporation takes place, the existing leases in perpetuity under which property is now held in the said Settements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular authorities mtentioned in the same are in all cases to be replaced by Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart. (89)

ARTICLE XVIII.

The present Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Amity, Commerce and Navigation of the 1st day of August, 1866, and the additional Convention of the 4th day of October, 1866; and from the same date these Treaty and Convention, as well

Traité précité cesseront d'être obligatoires ; en conséquence, la juridiction jusqu'alors exercée par les tribunaux belges au Japon et tous les priviléges, exemptions et immunités exceptionnels dont jouissaient jusqu'alors les sujets belges comme une partie de cette juridiction ou comme y appartenant, cesseront et prendront fin absolument et sans notification, et tous ces droits de juridiction appartiendront à partir de ce moment aux tribunaux japonais et seront exercés par ces mêmes tribunaux. (90)

ARTICLE XIX.

Le présent Traité n'entrera pas en vigueur avant le seize Juillet 1899. Il sortira ses effets une année après que le Gouvernement de Sa Majesté l'Empereur du Japon aura notifié au Gouvernement de Sa Majesté le Roi des Belges son intention de mettre ledit Traité en vigueur. Cette notification pourra être faite en tout temps à partir du seize Juillet 1898. Le présent traité restera valable pendant une période de douze ans après le jour où il entrera en vigueur.

L'une ou l'autre des Hautes Parties contractantes aura le droit, à un moment quelconque après que onze ans se seront écoulés depuis l'entrée en vigueur de ce Traité, de notifier à l'autre son intention de mettre fin au pré-

as the trade regulations attached to the said Treaty, shall cease to be binding, and, in consequence, the jurisdiction then exercised by Belgian Courts in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by Belgian subjects as a part of or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts. (90)

ARTICLE XIX.

The present Treaty shall not take effect until the sixteenth day of July, 1899. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to the Government of His Majesty the King of the Belgians of its wish to have the same brought into operation. Such notice may be given at any time from the sixteenth day of July, 1898. The Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration

sent Traité, et à l'expiration de douze mois après cette notification, ce Traité cessera et finira entièrement. (90)

ARTICLE XX.

Le présent Traité sera ratifié, et les ratifications en seront échangées à Bruxelles aussitôt que possible et pas plus de six mois après sa signature. (90)

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Traité et y ont apposé le cachet de leurs armes.

Fait à Bruxelles, en double exemplaire, le 22 Juin 1896.

(L. S.) Vicomte AOKI.
(L. S.) P. de FAVEREAU.

PROTOCOLE.

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majesté le Roi des Belges jugeant utile, dans l'intérêt des deux Pays, de régler séparément du Traité de Commerce et de Navigation signé ce jour, certaines matières spéciales qui les concernent mutuellement, sont convenus, par leurs Plénipotentiaires respectifs, des dispositions suivantes :

1° Il est entendu qu'un mois après

of twelve months after such notice is given this Treaty shall wholly cease and determine. (90)

ARTICLE XX.

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Brussels as soon as possible and not later than six months after its signature. (90)

In witness whereof, the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto the seal of their arms.

Done at Brussels, in duplicate, the 22d June, 1896.

(L. S.) Viscount AOKI.
(L. S.) P. de FAVEREAU.

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government of His Majesty the King of the Belgiams deeming it advisable in the interests of both Countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations :

1.—It is agreed by the Contracting

l'échange des ratifications du Traité de Commerce et de Navigation signé ce jour, le Tarif d'importation actuellement en vigueur au Japon à l'égard des articles et marchandises importés au Japon par les sujets de Sa Majesté le Roi des Belges cessera d'être obligatoire. A partir du même moment, le Tarif général établi par la loi intérieure du Japon, en vigueur à cette date, sera applicable à l'importation au Japon des articles et marchandises, produits naturels ou manufacturés des territoires et possessions de Sa Majesté le Roi des Belges, le tout en se conformant aux dispositions de l'article XIX du Traité de 1866 existant actuellement entre les Parties contractantes, tant que ledit Traité restera en vigueur, et après ce moment, se conformant aux dispositions de l'article IV et de l'article XIV du Traité signé ce jour.

Mais aucune disposition de ce Protocole n'aura pour effet de limiter ou de modifier le droit du Gouvernement Japonais de restreindre ou de prohiber l'importation des drogues, médecines, aliments ou boissons altérés ; des gravures, peintures, livres, cartes, gravures lithographiées ou autres et photographies indécentes ou obscènes, ou tous autres articles indécents ou obscènes ; des articles en violation des lois japo-

Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by the subjects of His Majesty the King of the Belgians shall cease to be binding. From the same date the General Statutory Tariff of Japan, for the time being in force, shall, subject to the provisions of Article XIX. of the Treaty of 1866, at present subsisting between the Contracting Parties, as long as the said Treaty remains in force, and thereafter subject to the provisions of Article IV. and Article XIV. of the Treaty signed this day, be applicable to the goods and merchandize being the growth, produce or manufacture of the dominions and possessions of His Majesty the King of the Belgians upon importation into Japan.

But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages ; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles ; articles in violation of patent, trade-mark or copy-right laws

naises sur les brevets, les marques de fabrique ou la propiété littéraire; ou de tout autre article qui, pour des raisons sanitaires ou au point de vue de la sécurité ou de la morale publique, pourrait offrir quelque danger.

Sous tous les autres rapports, les stipulations des Traité et Convention actuels seront maintenues sans conditions jusqu'au moment où le Traité de Commerce et de Navigation signé ce jour entrera en vigueur. (91)

2° Le Gouvernement japonais, en attendant l'ouverture du Pays aux sujets belges, consent à étendre le système de passeports actuel, de manière à permettre aux sujets belges, sur la production d'un certificat de recommandation du Représentant de la Belgique à Tokio, ou d'un des Consuls de Belgique dans les ports ouverts du Japon, d'obtenir, sur demande, du Ministère Impérial des Affaires Etrangères à Tokio ou des autorités supérieures de la Préfecture dans laquelle est compris un port ouvert, des passeports valables pour une région quelconque du pays et pour une période n'excédant pas douze mois, étant entendu que les règles et règlements actuellement applicables aux sujets belges qui visitent l'intérieur de l'Empire, seront maintenus. (92)

3° Le Gouvernement japonais s'engage à adhérer, avant que la juridiction

of Japan; or any other article which for sanitary reasons or in view of public security or morals might offer any danger.

In all other respects the stipulations of the existing Treaty and Convention shall be maintained unconditionally until the time when the Treaty of Commerce and Navigation signed this day comes into force. (91)

2.—The Japanese Government, pending the opening of the country to Belgian subjects, agrees to extend the existing passport system in such a manner as to allow Belgian subjects, on the production of a certificate of recommendation from the Belgian representative in Tokio, or from any of the Consuls of Belgium at the open ports in Japan, to obtain upon application passports available for any part of the country and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the Chief Authorities in the Prefecture in which an open port is situated, it being understood that the existing Rules and Regulations governing Belgian subjects who visit the interior of the Empire are to be maintained. (92)

3.—The Japanese Govenment undertakes, before the cessation of Belgian

consulaire belge au Japon ait pris fin, aux Conventions internationales pour la protection de la propriété industrielle et de la propriété littéraire. (92)

4° Les Plénipotentiaires soussignés ont convenu que ce Protocole sera soumis à l'approbation des deux Hautes Parties contractantes en même temps que le Traité de Commerce et de Navigation signé ce jour, et que, quand ledit Traité sera ratifié, les stipulations contenues dans ce Protocole seront également considérées comme approuvées, sans qu'il soit besoin d'une ratification formelle ultérieure.

Il est également convenu que ce Protocole prendra fin en même temps que ledit Traité cessera d'être obligatoire. (92)

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Protocole et y ont apposé le cachet de leurs armes.

Fait à Bruxelles, en double exemplaire, le 22 juin 1896.

(L. S.) Vicomte AOKI.
(L. S.) P. de FAVEREAU.

NOTE.

Les soussignés, Ministre Plénipotentiaire et Envoyé Extraordinaire de

Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial Property and Copyright. (92)

4.—The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding. (92)

In witness whereof, the respective Plenipotentiaries have signed the present Protocol, and have affixed thereto the seal of their arms.

Done at Brussels, in duplicate, the 22d June, 1896.

(L. S.) Viscount AOKI.
(L. S.) P. de FAVEREAU.

MEMORANDUM.

The Undersigned, Minister Plenipotentiary and Envoy Extraordinary

Sa Mejesté l'Empereur du Japon et Ministre des Affaires Etrangères de Sa Majesté le Roi des Belges, sont d'accord pour reconnaître que rien dans le Traité de Commerce et de Navigation qu'ils vont signer entre le Japon et la Belgique ne porte atteinte au droit qu'ont les deux Parties contractantes de régler, en vue d'événements de guerre, le commerce des armes et munitions de guerre par leurs territoires et possessions respectifs. Il est également entendu qu'en cette matière le traitement de la nation la plus favorisée est réciproquement garanti à chacun des deux pays. (93)

Bruxelles, le 22 juin 1896.

(L. S.) Vicomte AOKI.
(L. S.) P. de FAVEREAU.

of His Majesty the Emperor of Japan and Minister for Foreign Affairs of His Majesty the King of the Belgians, agree to recognize that nothing in the Treaty of Commerce and Navigation they are going to sign between Japan and Belgium affects the right of the two Contracting Parties to regulate, in view of events of war, the trade of arms and ammunition for war through their respective dominions and possessions. It is also understood that in this matter the treatment of the most favoured nation is reciprocally guaranteed to each of the two countries. (93)

Brussels, June 22d, 1896.

(L. S.) Viscount AOKI.
(L. S.) P. de FAVEREAU.

PROTOCOLE.

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majesté le Roi des Belges considérant qu'il est désirable dans l'intérêt de la bonne administration de la justice, qu'un accord soit établi au sujet de la juridiction par rapport aux causes pendantes devant les tribunaux belges au Japon au moment où le Traité de Commerce et de Navigation conclu entre le Japon et la Belgique le 22e jour du 6e mois de la 29e année de Meiji, entrera en vigueur, sont convenus de ce qui suit :

La juridiction des tribunaux belges au Japon, à l'égard des causes et procédures, tant civiles que criminelles, qui seraient pendantes devant lesdits

tribunaux au moment de l'entrée en vigueur dudit Traité de Commerce et de Navigation, continuera à être exercée jusqu'à décision finale et définitive.

En foi de quoi, les soussignés Ministre des Affaires Etrangères de Sa Majesté l'Empereur du Japon et Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi des Belges au Japon dûment autorisés à cet effet, ont signé le présent Protocole et y ont apposé leurs cachets.

Fait à Tokio en double expédition le 19e jour du 6e mois de la 32e année de Meiji.

(L. S.) Vicomte, AOKI.

(L. S.) Baron, Albert D'Anethan.

CONVENTION CONSULAIRE.

Signée à Bruxelles, le 22e jour du 12e mois de la 29e année de Meiji (1896); ratifiée le 16e jour du 4e mois de la 30e année de Meiji (1897); ratifications échangées à Bruxelles, le 16e jour du 7e mois de la 30e année de Meiji (1897); et promulguée le 24e jour du 7e mois de la 30e année de Meiji (1897).

Sa Majesté l'Empereur du Japon et Sa Majesté le Roi des Belges, également animés du désir de déterminer, avec toute l'extension et la clarté possibles, les droits, priviléges et immunités réciproques des agents consulaires respectifs, ainsi que leurs fonctions et les obligations auxquelles ils seront soumis dans les deux pays, ont résolu de conclure une Convention consulaire et ont nommé pour leurs Plénipotentiaires, savoir :

CONSULAR CONVENTION.

Signed at Brussels, 22nd day of 12th month, 29th year of Meiji (1896); Ratified 16th day of 4th month, 30th year of Meiji (1897); Ratifications exchanged at Brussels, 16th day of 7th month, 30th year of Meiji (1897); and Promulgated 24th of 7th month, 30th year of Meiji (1897).

His Majesty the Emperor of Japan and His Majesty the King of the Belgians, being mutually desirous of defining to the fullest extent and clearness the reciprocal rights, privileges and immunities of the respective Consular officers, as well as their functions and the obligations to which they are subjected in both countries, have resolved to conclude a Consular Convention and have named as Their Plenipotentiaries that is to say :

Sa Majesté l'Empereur du Japon,

M. le Vicomte Aoki Siuzo, Junii, Grand-Cordon de l'Ordre Impérial du Soleil Levant, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

Et Sa Majesté le Roi des Belges,

M. Paul de Favereau, Chevalier de l'Ordre de Léopold etc., Membre de la Chambre des Représentants, Son Ministre des Affaires Etrangères,

Lesquels, ayant échangé leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des articles suivants :

ARTICLE I.

Chacune des Hautes Parties contractantes consent à admettre des consuls généraux, consuls, vice-consuls et agents consulaires de l'autre dans tous les ports, villes et places, excepté dans les localités où il y aurait inconvénient à admettre de tels agents.

Cette réserve, toutefois, ne sera pas appliquée à l'une des Hautes Parties contractantes sans l'être également à toute autre Puissance. (95)

ARTICLE II.

Les consuls généraux, consuls, vice-consuls et agents consulaires de chacune des deux Hautes Parties contractantes jouiront réciproquement dans les Etats

His Majesty the Emperor of Japan,

Viscount Aoki Siuzo, Junii, Grand Cordon of the Imperial Order of the Rising Sun, His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

And His Majesty the King of the Belgians,

Mr. Paul de Favereau, Knight of the Order of Leopold, etc., Member of the House of Representatives, His Minister for Foreign Affairs ;

Who, after having communicated to each other their respective Full Powers found to be in good and due form, have agreed upon the following Articles :—

ARTICLE I.

Each of the High Contracting Parties agrees to receive from the other Consuls-General, Consuls, Vice-Consuls and Consular Agents in all its ports, cities and places, except in the localities where it may not be convenient to recognize such officers.

This reservation, however, shall not apply to one of the High Contracting Parties without also applying to every other Power. (95)

ARTICLE II.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the two High Contracting Parties shall enjoy, reciprocally, in the State

de l'autre, de tous les priviléges, exemptions et immunités dont jouissent les agents du même rang et de la même qualité de la nation la plus favorisée. Lesdits agents, avant d'être admis à l'exercice de leurs fonctions et de jouir des immunités qui y sont attachées, devront produire une commission dans la forme établie par des lois de leurs pays respectifs. Le Gouvernement territorial de chacune des deux Hautes Parties contractantes leur délivrera, sans aucun frais, l'exequatur nécessaire à l'exercice de leurs fonctions, et, sur l'exhibition de cette pièce, ils jouiront des droits, prérogatives et immunités accordés par la présente Convention.

Le Gouvernement donnant l'exequatur aura le droit de le reprendre, en expliquant les raisons pour lesquelles il juge à propos d'agir ainsi. (95)

ARTICLE III.

Les consuls généraux, consuls, vice-consuls et agents consulaires, sujets de l'Etat qui les a nommés, ne pourront être arrêtés préventivement que dans le cas de crime, qualifié et puni comme tel par la législation locale; ils seront exempts du logement militaire, de tout service tant dans l'armée régulière de terre ou de mer, que dans la garde nationale ou civique ou mi-

of the other, all the privileges, exemptions and immunities that are enjoyed by officers of the same rank and quality of the most favoured nation. The said officers, before being admitted to the exeucise of their frnctions and to the enjoyment of the immunities thereto pertaining, shall present their Commisions in the forms established by laws in their respective countries. The territorial Government of each of the two High Contracting Parties shall issue to them, free of charge, the exequatur necessay for their functions, and, on the exhibition of this instrument, they shall enjoy the rights, prerogatives and immunities granted by the present Convention.

The Government issuing the exequatur shall have the right to withdraw the same on explaining the reasons for which it has deemed expedient to do so. (95)

ARTICLE III.

Consuls-General, Consuls, Vice-Consuls and Consular Agents, subjects of the State by which they have been appointed, shall be exempt from preliminary arrest, except in the case of offences which the local legislation qualifies as crimes and punishes as such; they shall be exempt from military billetings, from all service in the regular army or navy, in the national or civic guard,

lice ; ils seront de même exempts de toutes les contributions directes au profit de l'Etat, des provinces ou des communes, et dont la perception se fait sur des listes nominatives, à moins qu'elles ne soient imposées à raison de la possession de biens immeubles ou sur les intérêts d'un capital employé dans l'Etat où lesdits agents exercent leurs fonctions. Cette exemption ne pourra cependant pas s'appliquer aux consuls généraux, consuls, vice-consuls ou agents consulsaires qui exerceraient une profession, une industrie ou un commerce quelconque, lesdits agents devant, en ce cas, être soumis au payement des taxes dues par tout autre étranger dans les mêmes conditions.

(96)

ARTICLE IV.

Quand la justice de l'un des deux pays aura quelque déclaration juridique ou déposition à recevoir d'un consul général, d'un consul, d'un vice-consul ou d'un agent consulaire, sujet de l'Etat qui l'a nommé et n'exerçant aucun commerce, elle l'invitera par écrit à se présenter devant elle et, en cas d'empêchement, mais seulement dans des procès civils, elle devra lui demander son témoignage par écrit, ou se transporter à sa demeure ou chancellerie pour l'obtenir de vive voix.

or in the militia ; they shall likewise be exempt from all direct taxes, state, provincial or municipal, imposed upon persons in the nature of capitation tax, unless such taxes become due on account of the possession of real estate, or for interest on capital invested in the country where the said officers exercise their functions. This exemption shall not, however, apply to Consuls-General, Consuls, Vice-Consuls or Consular Agents engaged in any profession, industry or commerce ; but said officers shall in such case be subject to the payment of the same taxes that would be paid by any other foreigner under the like circumstances.

(96)

ARTICLE IV.

When a Court of Justice of one of the two countries shall desire to receive the judicial declaration or deposition of a Consul-General, Consul, Vice-Consul or Consular Agent, who is a subject of the State which appointed him and who is engaged in no commercial business, it shall request him in writing to appear before it ; and in case of his inability to do so, but in civil suits only, it shall request him to give his testimony in writing, or shall visit his residence or office to obtain it orally.

Ledit agent devra satisfaire à cette demande dans le plus bref delai possible. (96)

ARTICLE V.

Les consuls généraux, consuls, vice-consuls et agents consulaires pourront placer au dessus de la porte extérieure de leurs chancelleries un écusson aux armes de leur nation, avec une inscription portant ces mots: Consulat Général, Consulat, Vice-Consulat ou Agence consulaire du Japon ou de Belgique.

Ils pourront aussi y arborer le drapeau de leur nation, excepté dans la capitale du pays, s'il s'y trouve une légation. Ils pourront de même arborer le pavillon national sur le bateau qu'ils monteront dans le port pour l'exercice de leurs fonctions. (97)

ARTICLE VI.

Les chancelleries des agents du service consulaire qui sont des sujets du pays qui les a nommés et qui ne font en outre ni le commerce, ni l'industrie ou une autre branche de métier, seront en tout temps inviolables. Les autorités locales, à moins qu'il ne s'agisse d'une poursuite de crimes, ne pourront les envahir sous aucun prétexte. Elles ne pourront, dans aucun cas, visiter ni saisir les papiers qui y seront enfermés. Les chancelleries consulaires ne sauraient, dans aucun cas, servir de

It shall be the duty of such officer to comply with this request with as little delay as possible. (96)

ARTICLE V.

Consuls-General, Consuls, Vice-Consuls and Consular Agents may place over the outer door of their offices a shield with arms of their nation and with this inscription; Consulate-General, or Consulate, or Vice-Consulate or Consular Agency of Japan or of Belgium.

They may also raise the flag of their country on their offices, except in the capital of the country when there is a Legation there. They may in like manner raise the flag of their country over the boat employed by them in the port for the exercise of their functions. (97)

ARTICLE VI.

The offices of the Consular officers who are subjects of the country by which they have been appointed and who moreover are not engaged in commercial or industrial business or in any other branch of trade, shall at all times be inviolable. The local authorities, except in the case of criminal proceedings, shall not, under any pretext, invade them. In no case shall they examine or seize the papers therein deposited. In no case shall the Consular offices be used as places of

lieux d'asile, et si un agent du service consulaire est engagé dans d'autres affaires, les papiers se rapportant au Consulat seront tenus séparément et ces papiers seront, en tout temps, inviolables. (97)

ARTICLE VII.

En cas de décès, d'empêchement ou d'absence des consuls généraux, consuls, vice-consuls et agents consulaires, leurs chanceliers ou secrétaires, après que leur caractère officiel aura été notifié au Ministère des Affaires Etrangères au Japon ou au Ministère des Affaires Etrangères en Belgique, seront de plein droit admis à gérer, par intérim, les affaires des postes respectifs ; ils jouiront, pendant toute la durée de cette gestion temporaire, de tous les droits, prérogatives et immunités accordés aux titulaires. (97)

ARTICLE VIII.

Les consuls généraux et consuls pourront, pour autant que les lois de leur pays le leur permettent, nommer, avec l'approbation de leurs Gouvernements respectifs, des vice-consuls et agents consulaires dans les villes, ports et places compris dans leur arrondissement. Ces agents pourront être choisis indistinctement parmi les Japonais, les Belges, les sujets ou les citoyens d'autres pays. Ils seront

asylum. When a Consular officer is engaged in other business, the papers relating to the Consulate shall be kept separate and said papers shall be at all times inviolable. (97)

ARTICLE VII.

In the event of death, incapacity or absence of Consuls-General, Consuls, Vice-Consuls and Consular Agents, their Chancellors or Secretaries, whose official character will have previously been made known to the Minister for Foreign Affairs in Japan or to the Minister for Foreign Affairs in Belgium, shall be entitled to take charge *ad interim* of the business of the respective Consulates, and while thus acting they shall enjoy all the rights, prerogatives and immunities granted to the incumbents. (97)

ARTICLE VIII.

Consuls-General and Consuls may, so far as the laws of their country allow, with the approbation of their respective Governments, appoint Vice-Consuls and Consular Agents in the cities, ports and places within their Consular district. These Agents may be selected from amongst the subjects of Japan or of Belgium or those of other countries. They shall be furnished with a regular Commission and shall

munis d'une commission régulière et jouiront des priviléges stipulés dans cette Convention en faveur des agents du service consulaire, en se soumettant aux exceptions et réserves prescrites pour lesdits agents. (97)

ARTICLE IX.

Les consuls généraux, consuls, vice-consuls et agents consulaires auront le droit de s'adresser aux autorités administratives ou judiciaires, soit de l'Etat, de la province ou de la commune des pays respectifs dans toute l'étendue de leur arrondissement consulaire, pour réclamer contre toute infraction aux traités ou conventions existant entre le Japon et la Belgique, et pour protéger les droits et les intérêts de leurs nationaux.

S'il n était pas fait droit à leur réclamation, lesdits agents, en l'absence d'un agent diplomatique de leur pays, pourront recourir directement au Gouvernement du pays dans lequel ils exercent leurs fonctions. (98)

ARTICLE X.

Les consuls généraux, consuls, vice-consuls et agents consulaires de chacune des deux Hautes Parties contractantes auront le droit de recevoir, dans leurs chancelleries, dans leur demeure privée, dans celle des parties

enjoy the privileges stipulated for Consular officers in this Convention, subject to the exceptions and reservations specified for the said officers. (97)

ARTICLE IX.

Consuls-General, Consuls, Vice-Consuls and Consular Agents shall have the right to address the Administrative and Judicial authorites, whether of the State, Province or Commune, throughout the whole extent of their Consular district, in order to complain of any infraction of the Treaties and Conventions existing between Japan and Belgium, and for the purpose of protecting the rights and interests of their countrymen.

If the complaint should not be satisfactorily redressed, the Consular officers aforesaid, in the absence of a diplomatic agent of their country, may apply directly to the Government of the country where they exercise their functions. (98)

ARTICLE X.

Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the two High Contracting Parties may take, at their offices, at their private residence, at the residence of the parties, or on board ships, the de-

ou à bord des bâtiments, les déclarations des capitaines et équipages des navires de leur pays, des passagers qui se trouvent à bord et de tout autre sujet de leur pays. Lesdits agents auront, en outre, le droit de dresser, conformément aux lois et règlements de leur pays, dans leurs chancelleries ou bureaux, les actes de naissance, de reconnaissance d'enfant naturel, de mariage et de décès concernant les sujets de leur pays, mais ils devront immédiatement informer de ces actes les autorités du pays. Ils auront le droit de dresser, de la même manière, tous actes conventionnels passés entre des sujets de leur pays et des sujets ou autres habitants du pays où ils résident et même tous actes de ces derniers, pourvu que ces actes aient rapport à des biens situés ou à des affaires à traiter sur le territoire de la nation à laquelle appartiendra le Consul ou l'agent devant lequel ils seront passés.

Les expéditions, copies ou traductions des actes dressés et des déclarations reçues en vertu des dispositions du présent article feront foi en justice comme le feraient les originaux eux-mêmes dans les tribunaux du Japon et de Belgique, pourvu qu'elles soient dûment certifiées par les consuls généraux, consuls, vice-consuls ou agents consulaires, munies de leur cachet

positions of the captains and crews of vessels of their own country, of passengers on board of them and of any other subject of their nation. They may also draw up at their offices, conformably to the laws and regulations of their country, the certificates of birth, acknowledgments of illegitimate children, certificates of marriage and of death, concerning the subjects of their nation, but they shall at once notify the registration thereof to the authorities of the country. They may draw up in the like manner all contracts between the subjects of their country and the subjects or other inhabitants of the country where they reside, and even all contracts between the latter, provided they relate to property situated, or to bussiness to be trsnsacted, in the territory of the nation to which the said Consular officer may belong..

Such papers and official documents of every kind, whether in the original, in copies or in translation, duly authenticated and legalized by the Consuls-General, Consuls, Vice-Consuls and Consular Agents, and sealed with their official seal, shall be received as legal documents in Courts of Justice throughout Japan and Belgium. (98)

officiel et revêtues des légalisations nécessaires. (98)

ARTICLE XI.

Les consuls généraux, consuls, vice-consuls et agents consulaires respectifs seront exclusivement chargés du maintien de l'ordre intérieur à bord des navires de commerce de leur nation, et connaîtront seuls de tous différends qui se seront élevés en mer ou s'élèveront dans les ports entre les capitaines, les officiers et les hommes de l'équipage, à quelque titre que ce soit, particulièrement pour le règlement des salaires et l'exécution des engagements réciproquement consentis. Les autorités locales ne pourront intervenir que lorsque les désordres survenus seraient de nature à troubler la tranquillité et l'ordre public à terre ou dans le port, ou quand une personne du pays ou ne faisant pas partie de l'équipage s'y trouvera mêlée.

Dans tous les autres cas, excepté s'il s'agit de leurs nationaux, les autorités précitées se borneront à prêter tout appui aux agents du service consulaire, si elles en sont requises par eux, pour faire arrêter et détenir en prison à leur disposition pendant que le vaisseau reste au port, tout individu inscrit sur le rôle de l'équipage chaque fois que lesdits agents le jugeront convenable.

Cependant il est entendu que cette

ARTICLE XI.

The respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall have exclusive charge of the internal order of the merchant-vessels of their nation and shall alone take cognizance of all differences wich may arise, either at sea or in port, between the captains, officers and crews, for whatever cause it may be, particularly in reference to the adjustment of wages and the execution of contracts. The local authorities shall not interfere except when the disorder that has arisen is of such a nature as to disturb tranquillity and public order on shore, or in the port, or when a person of the country or not belonging to the crew shall be concerned therein.

In all other cases, except when their countrymen are concerned, the aforesaid authorities shall confine themselves to lending aid to the Consular officers, if they are requested by them to do so, in causing to be arrested and kept in prison at their disposal, while the ship remains in port, any person whose name is inscribed on the crew-list, whenever the said officers shall think proper.

It is agreed, however, that this

stipulation ne s'appliquera qu'aux cas où une telle arrestation et détention soit jugée nécessaire par les autorités locales.

Les dépenses d'une telle arrestation et détention doivent être payées par les agents du service consulaire. (99)

ARTICLE XII.

Les consuls généraux, consuls, vice-consuls et agents consulaires de chacune des Hautes Parties contractantes recevront des autorités locales du pays où ils résident, toute l'assistance qui peut leur être donnée en vertu de la loi pour l'arrestation des déserteurs des navires de leur pays respectif, excepté quand le déserteur est un sujet du pays où la désertion a eu lieu. A cet effet, ils s'adresseront par écrit aux autorités locales compétentes des pays respectifs et leur feront, par écrit, la demande de ces déserteurs, en justifiant, par l'exhibition des registres du bâtiment ou du rôle d'équipage ou par d'autres documents officiels, que les hommes qu'ils réclament faisaient partie dudit équipage.

Sur cette seule demande ainsi justifiée, la remise des déserteurs ne pourra leur être refusée, à moins qu'il ne soit dûment prouvé qu'ils étaient sujets du pays où l'extradition est réclamée au moment de leur inscription sur le rôle

stipulation applies to cases only where such arrest and detention shall be deemed necessary by the local authorities.

The expenses of such arrest and detention shall be borne by the Consular officers. (99)

ARTICLE XII.

Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the High Contracting Parties shall receive from the local authorities of the country where they reside, all assistance that can be granted to them by the law for the arrest of deserters of the ships belonging to their respective countries, except when the deserter is a subject of the country where the desertion took place. To this end they shall address the competent local authorities of the respective countries in writing, and shall make them a written request for the deserters, supporting it by the exhibition of the register of the vessel and list of the crew, or by other official documents, to show that the persons claimed belong to the said ship's company.

Upon such request alone thus supported, the delivery to them of the deserters cannot be refused, unless it should be duly proved that they were subjects of the country where their extradition is demanded at the time

ou de leur arrivée au port. Les déserteurs ainsi arrêtés doivent être détenus et gardés dans les prisons du pays, à la réquisition et aux frais des consuls, jusqu'à ce que ces agents aient trouvé une occasion de les faire partir. Si pourtant cette occasion ne se présentait pas dans un délai de trois mois à partir du jour de l'arrestation, les déserteurs seraient mis en liberté et ne pourraient plus être arrêtés pour la même cause.

Si le déserteur avait commis quelque délit, son extradition serait différée jusqu' à ce que le tribunal qui a droit d'en connaître, ait rendu son jugement et que celui-ci ait eu son effet. (99)

of their being inscribed on the crew-list or of their arrival in port. The deserters so arrested shall be detained and kept in the prisons of the country, at the request and expense of the Consular officers, until there may be an opportunity for sending them away. If, however, such an opportunity should not present itself within the space of three months, counting from the day of the arrest, the deserters shall be set at liberty, nor shall they be again arrested for the same cause.

If the deserter had committed any misdemeanor, and the Court having the right to take cognizance of the offence shall claim and exercise it, the delivery of the deserter shall be deferred until the decision of the Court has been pronounced and executed. (99)

ARTICLE XIII.

A moins de stipulations contraires entre les armateurs, chargeurs et assureurs, toutes avaries essuyées à la mer par les navires des deux pays, soit qu'ils abordent volontairement au port, soit qu'ils se trouvent en relâche forcée, seront réglées par les consuls généraux, consuls, vice-consuls ou agents consulaires des pays respectifs.

Si cependant l'agent consulaire a quelque intérêt dans le navire ou la

ARTICLE XIII.

In the absence of an agreement to the contrary between the owners, freighters and insurers, all damages suffered at sea by the vessels of the two countries, whether they enter port voluntarily, or are forced by stress of weather, shall be settled by the Consuls-General, Consuls, Vice-Consuls and Consular Agents of the respective countries.

If, however, the Consular officer has any interest in the ship or its cargo,

cargaison, ou s'il en est agent et si des habitants du pays ou des sujets ou citoyens d'une tierce nation se trouvaient intéressés dans lesdites avaries et que les parties ne pussent s'entendre à l'amiable, le recours à l'autorité locale compétente serait de droit. (100)

ARTICLE XIV.

En cas de décès d'un Japonais en Belgique ou d'un Belge au Japon, les autorités locales compétentes doivent immédiatement en donner avis au Consul général, consul, vice-consul ou agent consulaire le plus rapproché de la nation à laquelle le défunt appartient ; ceux-ci, de leur côté, devront donner le même avis aux autorités locales lorsqu'ils en seront informés les premiers.

L'autorité locale compétente complétera ledit avis par la remise d'une expédition en due forme et sans frais, de l'acte de décès.

En cas d'incapacité ou d'absence des héritiers ou d'absence des exécuteurs testamentaires, les agents dn service consulaire, concurremment avec l'autorité locale compétente auront le droit, conformément aux lois de leurs pays respectifs, de faire tous actes nécessaires à la conservation et à l'administration de la succession, notamment d'apposer et de lever les scellés, de former l'inven-

or if he is an agent thereof, and if any inhabitant of the country, or subject or citizen of a third Power, shall be interested in the matter, and the parties cannot agree, the competent local authorities shall decide. (100)

ARTICLE XIV.

In case of the death of any subject of Japan in Belgium or of a subject of Belgium in Japan, the competent local authorities shall give immediate information of the event to the nearest Consul-General, Consul, Vice-Consul or Consular Agent of the nation to which the deceased belongs ; the said Consular officers, on their part, shall give the same information to the local authorities when they shall be informed first of the event.

The competent local authority shall complete the aforesaid information by forwarding a copy in due form and free of charge of the certificate of death.

In case of the incapacity or absence of the heirs or in case of absence of testamentary executors, Consular officers shall have the right jointly with the competent local authorities, to execute all deeds necessary for the preservation and administration of the succession, particularly to affix and to remove the seals, to make up the inventory, to administer and wind up

taire, d'administrer et de liquider la succession, en un mot de prendre toutes les mesures nécessaires à la sauvegarde des intérêts des héritiers, sauf le cas où naîtraient des contestations, lesquelles devraient être décidées par les tribunaux compétents du pays où la succession est ouverte. (101)

ARTICLE XV.

La présente Convention entrera en vigueur en même temps que le traité de commerce et de navigation conclu le 22 Juin 1896 entre les deux Hautes Parties contractantes. Elle restera en vigueur pendant une période de 12 ans à partir de sa mise à exécution. Dans le cas où aucune des deux Hautes Parties contractantes n'aurait notifié douze mois avant la fin de ladite période, son intention d'en faire cesser les effets, la Convention demeurera obligatoire jusqu' à l'expiration d'une année à partir du jour où l'une ou l'autre des Hautes Parties contractantes l'aura dénoncée. (101)

ARTICLE XVI.

La présente Convention sera ratifiée et les ratifications en seront échangées à Bruxelles aussitôt que possible et pas plus de six mois après sa signature. (101)

the succession, in one word, to take all necessary measures to safeguard the interests of the heirs, except in case disputes should arise, which should be decided by the competent Courts of the country where the succession is open. (101)

ARTICLE XV.

The present Convention shall enter into force on the same date as the Treaty of Commerce and Navigation concluded the 22nd day of June, 1896, between the two High Contracting Parties.

It shall continue in force for the space of twelve years computed from the day of its being put into execution.

In case neither of the High Contracting Parties give notice twelve months before the expiration of the said period, of its intention to determine the effects of this Convention, the same shall remain in force until the expiration of a year counting from the day on which one of the High Contracting Parties shall have denounced it. (101)

ARTICLE XVI.

The present Convention shall be ratified, and the ratifications thereof exchanged at Brussels as soon as possible and not later than six months after its signature. (101)

En foi de quoi, les Plénipotentiaires l'ont signée et y ont apposé leurs cachets.

Fait à Bruxelles, en double original, le 22 décembre 1896.

(L. S.) Vicomte AOKI.
(L. S.) Paul de FAVEREAU.

In faith whereof, the Plenipotentiaries have hereunto set their hands and seals,

Done at Brussels, in duplicate, the 22nd December, 1896.

(L. S.) Viscount AOKI.
(L. S.) Paul de FAVEREAU.

BRÉSIL.

TRATADO DE AMIZADE, DE COMMERCIO E DE NAVEGAÇÃO.

Signé à Paris, le 5e jour du 11e mois de la 28e année de meiji (1895)*; ratifié le 7e jour du 4e mois de la 29e année de meiji* (1896)*; ratifications échangées à Paris, le 12e jour du 2e mois de la 30e année de meiji* (1897)*; et promulgué la 20e jour du 2e mois de la 30e année de meiji* (1897).

Sua Magestado o Imperador do Japão, e Sua Excellencia o Senhor Presidente dos Estados-Unidos do Brazil, igualmente animados do desejo de estabelecer sobre bases solidas e duradouras relações de amizade e de commercio entre os dois Estados e seos subditos e cidadãos respectivos resolveram celebrar um Tratado de Amizade, de Commercio e de Navegação, e, para esse fim, nomearam seos Plenipotenciarios serpectivos; a saber:

S. M. o Imperador do Japão, o Snr. Soné Arasuke Jushii, seo Enviado Extraordinario e Ministro Plenipotenciario em Pariz.

e S. Ex. o Senhor Presidente dos Estados Unidos do Brazil, o Snr. Dr.

TRAITÉ D' AMITIÉ, DE COMMERCE ET DE NAVIGATION.

Signé à Paris, le 5e jour du 11e mois de la 28e année de meiji (1895)*; ratifié le 7e jour du 4e mois de la 29e année de meiji* (1896)*; ratifications échangées à Paris, le 12e jour du 2e mois de la 30e année de meiji* (1897)*; et promulgué le 20e jour du 2e mois de la 30e année de meiji* (1897).

Sa Majesté l'Empereur du Japon et Son Excellence le Président des Etats-Unis du Brésil étant également animés du désir d'établir, sur une base solide et durable, des relations d'amitié et de commerce entre leurs Etats et sujets et citoyens respectifs, ont résolu de conclure un Traité d'Amitié, de Commerce et de Navigation et ont, à cet effet, nommé pour leurs Plénipotentiaires respectifs, à savoir:

Sa Majesté l'Empereur du Japon, Mr. Soné Arasuké, Jushii, Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris.

Et Son Excellence le Président des Etats-Unis du Brésil, Mr. le Dr. Gabriel de Toledo Piza e Almeida, Envoyé Ex-

Gabriel de Toledo Piza e Almeida, seo Enviado Extraordinario e Ministro Plenipotenciario em Pariz, os quaes, depois de communicarem os seos Plenos Poderas, que foram achados em boa e devida forma, convieram nos artigos sezuintes.

ARTIGO I.

Haverá paz perpetua e amizade constante entre o Imperio do Japão e os Estados-Unidos do Brazil, assim como entre seos snbditos e cidadãos respectivos. (103)

ARTIGO II.

S. M. o Imperador do Japão poderá, si assim lhe aprouver acreditar um Agente diplomatico junto ao Governo de Brazil, e S. Ex. o Senhor Presidente dos Estados-Unidos do Brazil poderá igualmente, si o julgar conveniente, fazer residir um Agente diplomatico no Japão ; e cada uma das duas Altas Partes Contractantes terá o direito de nomear Consules Geraes, Consules, Vice-Consules e Agentes consulares, que poderão fixar suas residencias em todos os portos e cidades dos Territorios da outra Parte Contractante, onde à funccionarios identicos da Nação mais favorecida fôr permittido residir. Todavia, para que possa exercer as suas funcções, necessitará o Consul Geral, Consul, Vice-Consul ou

traordinaire et Ministre Plénipotentiaire à Paris, lesquels après s'être communiqué leurs Pleins Pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants :

ARTICLE I.

Il y aura paix perpétuelle et amitié constante entre l'Empire du Japon et les Etats-Unis du Brésil et les sujets et citoyens respectifs. (103)

ARTICLE II.

Sa Majesté l'Emperur du Japon pourra, si bon Lui semble, accréditer un Agent Diplomatique auprès du Gouvernement des Etats-Unis du Brésil et le Gouvernement des Etats-Unis du Brésil pourra également, s'il croit à propos, faire résider un Agent Diplomatique au Japon ; et chacune des deux Hautes Parties Contractantes aura le droit de nommer des Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires pour les faire résider dans tous les ports et places des Territories de l'autre Partie Contractante où les mêmes officiers consulaires de la nation la plus favorisée sont permis de résider. Toutefois, avant qu'un Consul Général, Consul, Vice-Consul ou Agent Consulaire entre en fonction, il sera, dans

Agente consular, segundo as formas usuaes, que seja a sua nomeação aprovada pelo Governo do paiz para onde fôr enviado, mediante um Exequatur gratiuto.

Os Agentes diplomaticos e Consulares de cada uma das duas Altas Partes Contractantes gozarão, conforme as estipulações do, presente Tratado, nos Territorios da outra Parte, dos direitos, privilegios e immunidades que são ou forem concedidos aos mesmos Agentes da Nação mais favorecida. (103)

ARTIGO III.

Existirá entre os Territorios e Possessões das duas Altas Partes Contractantes liberdade reciproca de commercio e de mavegação. Os subditos e cidadãos respectivos terão o direito de transitar livremente e com interra segurança com seos navios e mercadorias em todos os portos, rios e lugares onde igual favor for permettido aos subditos ou cidadaôs da Naç o mais favorecida, eahi poderão alugar ou occupar casas e armasens e entregar se ao commercio por atacado ou a varejo de todos os productos e mercadorias de commercio licito. Quanto ao que diz respeito á acquisição, gozo e cessão de propriedades de toda a especie, os subditos ou cidadãos de uma das duas Altas Partes Contractantes gozarão nos Territorios da outra Parte, em quanto residirem nelles, dos mesmos direitos que os subditos ou cidadãos da Nação mais favorecida.

les formes usuelles, approuvé par le Gouvernement du Pays où il est envoyé, moyennant l'exequatur gratuit.

Les Agents Diplomatiques et Consulaires de chacune des deux Hautes Parties Contractantes jouiront, conformément aux stipulations du présent Traité, dans les Territoires de l'autre Partie, des droits, priviléges et immunités qui sont ou seront accordés aux mêmes Agents de la nation la plus favorisée. (103)

ARTICLE III.

Il y aura, entre les Territoires et Possessions des deux Hautes Parties Contractantes, une liberté réciproque de commerce et de navigation. Les sujets et citoyens respectifs de chacune des deux Hautes Parties Contratantes auront le droit de se rendre librement et en pleine sécurité, avec leurs navires et leurs cargaisons dans tous les lieux, ports et rivières des Territoires et Possessions de l'autre où les sujets ou citoyens de la nation la plus favorisée sont permis de se rendre; ils pourront rester ou résider dans tous les lieux ou ports où les sujets ou citoyens de la nation la plus favorisée sont permis de rester ou de résider; et ils pourront y louer et occuper des maisons et des magasins, et s'y livrer au commerce

tantes serão collocados nos Territorios e Possessões da outra Parte no mesmo pé de igualdade que os subditos e cidadãos da Nação mais favorecida. (104)

ARTIGO IV.

As duas Altas Partes Contractantes conveem que todo privilegio, favor ou immunidade em materia de commercio, de navegação, de transito e de residencia que uma das duas Altas Partes Contractantes conceder actualmente ou vier a conceder aos subditos ou cidadãos de um outro Estado, se estenderão aos subditos ou cidadãos da outra Parte Contractante, gratuitamente, si a concessão feita em favor d'este alludido Estado fôr gratuita, e com as mesmas condições, ou sob condições equivalentes, si a concessão fôr condicional; sendo sua intenção reciproca de collocar, sob todos os pontos de vista, o commercio e a navegação de cada Paiz no pé da Nação mais favorecida. (104)

en gros ou en détail de toutes espèces de produits, objets fabriqués et marchandises du commerce licite.

En tout ce qui concerne l'acquisition, jouissance et cession de propriétés de toutes sortes, les sujets ou citoyens de l'une des deux Hautes Parties Contractantes seront placés dans les Territoires et Possessions de l'autre sur le même pied d'égalité que les sujets ou citoyens de la nation la plus favorisée. (104)

ARTICLE IV.

Les deux Hautes Parties Contractantes conviennent que tout privilége, faveur ou immunité en matière de commerce, de navigation, de voyage et de résidence que l'une des deux Parties Contractantes accorde actuellement ou pourra accorder à l'avenir aux sujets ou citoyens d'un autre Etat, seront étendus aux sujets ou citoyens de l'autre Partie Contractante gratuitement, si la concession accordée en faveur de cet autre Etat aura été gratuite; et avec les mêmes conditions ou avec des conditions équivalentes si la concession aura été conditionnelle; leur intention étant de placer, sous tous les rapports, le commerce et la navigation de chaque Pays sur le pied de la nation la plus favorisée. (104)

ARTIGO V.

Não serão lançados à importação no Brazil de todos os artigos produzidos ou fabricados no Japão e reciprocamente, não serão lançados á importação no Japão de todos os artigos produzidos ou fabricados nos Estados Unidos do Brazil, direitos diffèrentes ou mais elevados do que aquelles que são ou forem impostos aos mesmos artigos produzidos ou fabricados em todo e qualquer paiz estrangeiro e importados para o mesmo fim.

Não serão tão pouco impostos nos Territorios ou Possessões de uma das duas Altas Partes Contractantes à exportação de todos os artigos para os Territorios ou Possessões da outra direitos e contribuições differentes ou mais elevados do que aquelles que são ou forem pagos por artigos similares, com destino á outro qualquer paiz estrangeiro.

Nemhuma prohibição será imposta á importação de artigos produzidos ou fabricados sobre os Territorios ou Possessões de uma das duas Altas Partes Contractantes, nos Territorios ou Possessões da outra, a menos que esta prohibição não seja igualmente applicada á importação dos artigos similares produzidos ou fobricados em outro qualquer paiz. Outro sim nem-

ARTICLE V.

Il ne sera imposé à l'importation au Japon de tous articles produits ou fabriqués des Etats-Unis du Brésil, et réciproquement il ne sera imposé à l'importation aux Etats-Unis du Brésil de tous articles produits ou fabriqués du Japon, aucuns droits autres ou plus élevés que ceux qui sont ou seront imposés aux mêmes articles produits ou fabriqués de tout autre pays étranger importés dans le même but.

Il ne sera non plus imposé dans les Territoires ou Possessions de l'une des deux Hautes Parties Contractantes, à l'exportation de tous articles pour les Territoires ou Possessions de l'autre, aucuns droits ou charges autres ou plus élevés que ceux qui sont ou seront payables à l'exportation des articles similaires à destination de tout autre pays étranger. Aucune prohibition ne sera imposée à l'importation de tous articles produits ou fabriqués sur les Territoires ou Possessions de l'une des deux Hautes Parties Contractantes, dans les Territoires ou Possessions de l'autre, à moins que cette prohibition ne soit également appliquée à l'importation des articles similaires produits ou fabriqués dans tout autre pays. De même, aucune prohibtion ne sera

huma prohibição será imposta á exportação de artigos dos Territorios ou Possessões de uma das duas Altas Partes Contractantes com destino aos Territorios ou Possessões da outra, sem que essa prohibição se estenda igualmente á exportação de artigos similares com destino á outro qualquer paiz. (104)

ARTIGO VI.

Quanto ao que diz respeito ao direito de transito, armazenagem premios facilidades e drawbacks, os subditos ou cidadãos de cada uma das duas Altas Partes Contractantes serão, nos Territorios e Possessões da outra sob todos os pontos de vista, collacados no pé da Nação mais favorecida. (105)

ARTIGO VII.

Não serão impostos nos portos dos Estados Unidos do Brazil sobre os navios do Japão, e nos portos do Japão sobre os navios dos Estados Unidos do Brazil direitos ou tributos de tonnelagem, pharoés, portos, pilotagem, quarentena, salvamentos ou outros direitos ou contribuições similares ou analogas, de qualquer denomição que sejam, lançados ou não em proveito do Governo, dos fonccionarios publicos, dos particulares, das corporações ou de qualquer estabelecimento, differentes ou mais elevados do que aquelles que

imposée à l'exportation de tous articles des Territoires ou Possessions de l'une des deux Hautes Parties Contractantes à destination des Territoires ou Possessions de l'autre, sans que cette prohibition soit également étendue à l'exportation des articles similaires à destination de tout autre pays. (104)

ARTICLE VI.

En tout ce qui concerne le droit de transit, magasinage, primes, facilités et drawbacks, les sujets ou citoyens de chacune des deux Hautes Parties Contractantes seront, dans les Territoires ou Possessions de l'autre, placés, sous tous les rapports, sur le pied de la nation la plus favorisée. (105)

ARTICLE VII.

Ne seront imposés, dans les ports du Japon sur les navires des Etats-Unis du Brésil, et dans les ports des Etats-Unis du Brésil sur les navires du Japon, aucuns droits ou charges de tonnage, de phare, de port, de pilotage, de quarantaine, de sauvetage ou autres droits ou charges similaires ou analogues, de quelque dénomination que ce soit, levés au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou des établissements quelconques, autres ou plus élevés que ceux

são actualmente ou forem para o futuro applicados em iguaes circumstancias nos mesmos portos sobre os navios da Nação mais favorecida. (105)

ARTIGO VIII.

A Cabotagem das duas Altas Partes Contractantes fica exceptuada das disposições do presente Tratado e será respectivamente regularisada pelas leis, decredos e regulamentos dos dois Paizes. (106)

ARTIGO IX.

No presente Tratado todos os navios que, pelas leis Japonezas, puderem ser considerados como navios japonezes e todos aquelles que, segundo as leis brazileiras puderem ser considerados como navios brazileiros, serão respectivamente considerados como navios japonezes e brazileiros. (106)

ARTIGO X.

Os Subditos e os navios do Imperio do Japão que forem ao Brazil ou ás suas aguas territoriaes se submetterô, durante todo o tempo de sua estada, ás leis e á jurisdicção do Brazil, bem como se sujeitarão ás leis e á jurisdicção do Japão todos os cidaõs ou navios brazileiros que forem ao Japão ou ás suas aguas territoriaes. (106)

qui sont actuellement ou seront, à l'avenir, appliqués en pareil cas, dans les mêmes ports sur les navires de la nation la plus favorisée. (105)

ARTICLE VIII.

Le cabotage des deux Hautes Parties Contractantes est excepté des dispositions du présent Traité. Il sera respectivement réglé par les Lois, Ordonnances et Règlements des deux Pays. (106)

ARTICLE IX.

Dans le présent Traité, tous les navires qui, conformément aux Lois japonaises, pourront être considérés comme navires japonais et tous les navires qui, conformément aux Lois brésiliennes, pourront être considérés comme navires brésiliens, seront respectivement considérés comme navires japonais et brésiliens. (106)

ARTICLE X.

Les citoyens et les navires des Etats-Unis du Brésil qui se rendent au Japon ou dans ses eaux territoriales seront, aussi longtemps qu'ils y resteront, soumis aux lois et à la juridiction du Japon; et les sujets et les navires du Japon qui se rendent au Brésil ou dans ses eaux territoriales seront également soumis aux lois et à la juridiction du Brésil. (106)

ARTIGO XI.

Os subditos e cidadãos de cada uma das duas Altas Partes Contractantes gozarão respectivamente nos Territorios e Possessões da outra Parte de inteira protecção para as suas pessoas e propriedades; terão livre e facil accesso junto aos tribunaes para a defeza de seos direitos; e, da mesma forma que os subditos ou cidadãos do paiz, terão o direito de empregar advogados, solicitadores, ou mandatorios para se fazerem representar junto aos ditos tribunaes.

Gozarão igualmente de uma inteira liberdade de consciencia, e, conformando se com as leis e regulamentos em vigor, terão o direito de exercer publica ou privadamente o seo culto; terão igualmente o direito de enterrar seos nacionaes respectivos segundo os seos ritos nos lugares convenientes e appropriados que, para esse fim, forem estabelecidos e mantidos. (106)

ARTIGO XII.

Quanto ao que diz respecto á obrigação de hospedar militares, ao serviço obrigatorio nos exercitos de terra e mar, ás requisições militares ou aos emprestimos forçados, os subditos ou cidadãos de cada uma das

ARTICLE XI.

Les sujets et citoyens de chacune des deux Hautes Parties Contractantes jouiront, respectivement, dans les Territoires et Possessions de l'autre Partie, de la parfaite protection pour leurs personnes et propriétés; ils auront un accès libre et facile auprès des tribunaux pour la poursuite et la défense de leurs droits; et ils auront, sur le même pied que les sujets ou citoyens du pays, la faculté d'employer des avoués, des avocats ou des mandataires pour se faire représenter devant les susdits tribunaux.

Ils jouiront également d'une liberté entière de conscience, et auront, en se conformant aux Lois, Ordonnances et Règlements en vigueur, le droit de se livrer à l'exercice privé ou public de leur culte; ils jouiront aussi du droit d'inhumer leurs nationaux respectifs, suivant leurs coutumes religieuses, dans les lieux convenables et appropriés qui seront établis et entretenus à cet effet. (106)

ARTICLE XII.

En ce qui concerne l'obligation de loger les militaires, le service obligatoire dans les armées de terre ou de mer, les réquisitions militaires ou les emprunts forcés, les sujets et citoyens de chacune des deux Hautes Parties

duas Altas Partes Contractantes gozarão nos Territorios e Pessessões da outra dos mesmos privilegios, immunidades e exempções que os subditos ou cidadãos da Naçao mais favorecida. (107)

ARTIGO XIII.

O presente Tratado entrará em vigor immediatamente depois da troca das ratificações e se tornará obrigatorio por um periodo de doze annos a partir do dia em que fõr posto em execução.

Cada uma das Altas Partes Contractantes, decoridos onze annos depois de entrar em vigor o presente Tratado, terá o direito, em um momento dado, de o denunciar à outra, expirando elle no fim do decimo segundo mez, a contar d'essa notificação. (107)

ARTIGO XIV.

O present Tratado será feito em duplicata nas linguas japoneza, portugueza e franceza e no caso de divergencia nos textos japonez e portuguez, se reccoreráao textõ francez, o qual será obrigatorio para os dois Governos. (107)

Contratantes jouiront, dans les Territoires et Possessions de l'autre, des mêmes priviléges, immunités et exemptions que ceux dont jouissent les sujets ou citoyens de la nation la plus favorisée. (107)

ARTICLE XIII.

Le présent Traité entrera en vigueur immédiatement après l'échange des ratifications et restera obligatoire pendant une période de douze ans à partir du jour où il aura été mis à l'exécution.

Chacune des deux Hautes Parties Contractantes aura le droit, à un moment quelconque après que onze années se seront écoulées depuis l'entrée en vigueur du présent Traité, de notifier à l'autre Partie son intention d'y mettre fin, et à l'expiration du douzième mois qui suivra cette notification, ce Traité cessera et expirera entièrement. (107)

ARTICLE XIV.

Le présent Traité sera fait en double dans les langues japonaise, portugaise et française; et dans le cas où des différences existeraient entre les textes japonais et portugais, il en sera décidé d'après le texte français qui est obligatoire pour les deux Gouvernements. (107)

ARTIGO. XV.

O presente Tratado será ratificado pelas duas Altas Partes Contractantes e a troca das ratificações terá lugar em Pariz logo que for possivel. (107)

Fm testemanho do que os Plenipotenciarios respectivos o assignaram e lhe fizeram por o sello de suas armas.

Feito em seis exemplares em Pariz, aos cinco dias do undecimo mez do vigesimo anno de Meiji correspondente aos cinco dias do mez de Novembro do anno de mil oito centos e noventa e cinco.

(L. S.) SONE ARASUKÉ.
(L. S.) GABRIEL DE TOLEDO PIZA E ALMEIDA.

ARTICLE XV.

Le présent Traité sera ratifié par les deux Hautes Parties Contractantes, et les ratifications seront échangées à Paris, aussitôt que faire se pourra. (107)

En foi de quoi, les Plénipotentiaires respectifs l'ont signé et y ont apposé leurs cachets.

Fait en six expéditions à Paris, le cinquième jour du onzième mois de la vingt huitième année de Meiji, correspondant à l'an mil huit cent quatre vingt-quinze.

(L. S.) SONÉ ARASUKÉ.
(L. S.) GABRIEL DE TOLEDO PIZA E ALMEIDA.

CHILE.

TRATADO DE AMISTAD, COMERCIO Y NAVEGACIÓN.

Firmado en Washington el 25° dia del 9° mes del 30° año de Meiji (1897); *Ratificado el 28° dia del 6° mes del 39° año de Meiji* (1906); *Ratificaciones cangeadas en Washington el 24° dia del 9° mes del 39° año de Meiji* (1906); *y Promulgado el 5° dia del 11° mes del 39° año de Meiji* (1906).

Su Majestad el Emperador del Japón, y Su Excelencia el Presidente de la República de Chile, igualmente animados del deseo de establecer sobre base firme y duradera relaciones de amistad y comercio entre sus respectivos Estados, súbditos y ciudadanos, han resuelto ajustar un Tratado de Amistad, Comercio y Navegación, y al efecto, han nombrado sus Plenipotenciarios, á saber:

Su Majestad el Emperador del Japón al Jushii Toru Hoshi, de la órden del Sol Naciente, de tercera clase, su Enviado Extraordinario y Ministro Plenipotenciario ante el Gobierno de los Estados Unidos de América y Su Excelencia el Presidente de la República de Chile al Señor Don Domingo Gana,

TREATY OF AMITY, COMMERCE AND NAVIGATION

Signed at Washington 25th day of 9th month, 30th year of Meiji (1897); *Ratified 28th day of 6th month, 39th year of Meiji* (1906); *Ratifications exchanged at Washington 24th day of 9th month, 39th year of Meiji* (1906); *promulgated 5th day of 11th month, 39th year of Meiji* (1906).

His Majesty the Emperor of Japan and His Excellency the President of the Republic of Chile, being equally animated by a desire to establish upon a firm and lasting foundation relations of friendship and commerce between their respective States and subjects and citizens, have resolved to conclude a Treaty of Amity, Commerce and Navigation, and have for that purpose named their respective Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan, Jushii Toru Hoshi, of the Third Order of the Rising Sun, His Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of America; and His Excellency the President of the Republic of Chile,

Enviado Extraordinario y Ministro Plenipotenciario de la República de Chile ante el Gobierno de los Estados Unidos de América, quiénes, habiéndose comunicado, sus respectivos Plenos Poderes y halládolos en buena y debida forma, han convenido en los Artículos siguientes :

ARTÍCULO I.

Habrá sólida y perpetua paz y amistad entre el Imperio del Japón y la República de Chile, y sus respectivos súbditos y ciudadanos. (109)

ARTÍCULO II.

Su Majestad el Emperador del Japón puede acreditar, si así lo estimare oportuno, un Ajente Diplomático ante el Gobierno de la República de Chile, y, de igual manera, Su Excelencia el Presidente de la República de Chile puede acreditar, si así lo estimare conveniente, un Ajente Diplomático ante la Cortes de Tokio; y cada una del as Altas Partes Contratantes tendrá el derecho de nombrar, en interes del comercio, Cónsules Generales, Cónsules, Vice-Cónsules y Ajentes Consulares para que residan en todos los puertos y plazas de los territorios de la otra Parte Contratante en que sea permitida la residencia de iguales funcio-

Señor Don Domingo Gana, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Chile near the Government of the United States ; who having communicated to each other their respective Full Powers, and found them in good and due form, have agreed upon the following Articles :

ARTICLE I.

There shall be firm and perpetual peace and amity between the Empire of Japan and the Republic of Chile, and their respective subjects and citizens. (109)

ARTICLE II.

His Majesty the Emperor of Japan may, if he think proper, accredit a Diplomatic agent to the Government of the Republlc of Chile ; and, in like manner, His Excellency the President of the Republic of Chile may, if he see fit, accredit a Diplomatic Agent to the Court of Tokio ; and each of the High Contracting Parties shall have the right to appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents, for the convenience of trade, to reside in all the ports and places within the territories of the other Contracting Party where similar Consular Officers of other nations are permitted to reside ; but before any Consul-General,

narios consulares de otras naciones; pero antes de cualquier Cónsul General, Cónsul, Vice-Cónsul ó Ajente Consular pueda obrar como tal deberá ser aceptado y admitado en la forma acostumbrada por el Gobierno ante el cual fuere constituido.

Los Funcionarios Diplomáticos y Consulares de cada una de las dos Altas Partes Contratantes gozarán en los territorios de la otra, con sujeción á las estipulaciones de este Tratado, de los derechos, privilejios, exenciones é inmunidades que se conceden ó concedieron á funcionarios de igual categoría de cualquiera nación europea ó de los Estados Unidos de América. (109)

ARTÍCULO III.

Habrá recíproca libertad de comercio y navegación entre los territorios y posesiones de las dos Altas Partes Contratantes. Los súbditos y ciudadanos de cada una de las Altas Partes Contratantes, respectivamente, tendrán el derecho de entrar con seguridad y libremente con sus buques y cargamentos en todos los lugares, puertos, rios y estrechos de los territorios y posesiones de la otra, en que la entrada fuere permitida á súbditos ó ciudadanos de otras naciones; pueden permanecer y residir en todos los lugares y puertos en que se consiente residir y permanecer á súbditos y ciudadanos

Consul, Vice-Consul or Consular Agent shall act as such he shall, in the usual form, be approved and admitted by the Government to which he is sent.

The Diplomatic and Consular Officers of each of the Two High Contracting Parties shall, subject to the stipulations of this Treaty, enjoy in the territories of the other whatever rights, privilèges, exemptions and immunities, are, or shall be granted there to officers of corresponding rank of any European nation or of the United States of America. (109)

ARTICLE III.

There shall be between the Territories and Possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects and citizens, respectively, of each of the High Contracting Parties shall have the right to come freely and securely with their ships and cargoes to all places, ports, rivers and straits in the Territories and Possessions of the other, where subjects or citizens of other nations are permitted so to come; they may remain and reside at all the places or ports where subjects or citizens of other nations are permitted to remain and reside, and they

de otras naciones, y pueden allí arrendar y ocupar casas y almacenes, y traficar por mayor y menor en todo género de productos, manufacturas y mercaderias de lícito comercio. (110)

ARTÍCULO IV.

Las dos Altas Partes Contratantes convienen en que todo favor, privilejio ó inmunidad referente al comercio, navegación, tránsito ó residencia en sus territorios ó posesiones que cualquiera Parte Contratante concediere actualmente ó más tarde á súbditos ó ciudadanos de alguna nación europea ó de los Estados Unidos de América, se hará extensivo á la otra Parte Contratante; gratuitamente, si la concesión en favor de la nación europea ó de los Estados Unidos de América hubiere sido gratuita, y en las mismas ó equivalentes condiciones, si la concesión hubiera sido condicional. (110)

ARTÍCULO V.

No se impondrá otros ó más altos derechos á la importación en el Japón de cualquier artículo natural, producción ó manufactura de la República de Chile, y no se impondrá otros ó más altos derechos á la importación en la República de Chile de cualquier artículo natural, producción ó manufactura del

may there hire and occupy houses and warehouses, and may there trade by wholesale or retail in all kinds of products, manufactures and merchandise of lawful commerce. (110)

ARTICLE IV.

The two High Contracting Parties hereby agree that any favor, privilege or immuuity whatever in matters relating to commerce, navigation, travel through or residence in their Territories or Possesions which either Contracting Party has actually granted, or may hereafter grant to the subjects or citizens of any European nation or of the United States of America, shall be extended to the subjects or citizens of the other Contracting Party, gratuitously, if the concession in favor of that European nation or the United States of America shall have been gratuitous, and on the same, or equivalent conditions, if the concession shall have been conditional. (110)

ARTICLE V.

No other or higher duties shall be imposed on the importation into Japan of any article the growth, produce or manufacture of the Republic of Chile, and no other or higher duties shall be imposed on the importation into the Republic of Chile of any article the growth, produce or manufacture of

Japón, sea que tal importación esté destinada al consumo, almacenaje, re-esportación ó tránsito, que los que se pagan ó pagaren por la importación para idénticos fines de artículos naturales, producción ó manufactura de cualquier país europea ó de los Estados Unidos de América.

Ni se impondrá otros ó más altos derechos ó gravámenes en los territorios ó posesiones de cualquiera de las dos Partes Contratantes á la esportación de cualquier artículo para los territorios ó posesiones de la otra, que los que se pagan ó pagaren por la esportación del mismo artículo para cualquier país europea ó de los Estados Unidos de América. No se prohibira la importación ó tránsito de cualquier artículo natural, producción ó manufactura de los territorios de cada una de las Altas Partes Contratantes en ó á través de los territorios á posesiones de la otra, si tal prohibición no se estendiere igualmente á los mismos artículos naturales, producción ó manufactura de cualquier país europea ó de los Estados Unidos de América. Ni se prohibirá en modo alguno la esportación de cualquear articulo de los territorios de cada una de las Altas Partes Contratantes para los territorios ó posesiones de la otra, si tal prohibición no se extendiere igualmente á la esportación del mismo artículo

Japan, whether such importation be for the purpose of consumption, warehousing, re-exportation or transit, than are or shall be payable on the importation for the same purpose of the like article being the growth, produce or manufacture of any European country or of the Uniten States of America.

Nor shall any other or higher duties or charges be imposed in the Territories or Possessions of either of the two High Contracting Parties on the exportation of any article to the Territories or Possessions of the other than such as are or may be payable on the exportation of the like article to any European country or the United States of America. No prohibition shall be imposed on the importation or transit of any article, the growth, produce or manufacture of the Territories of either of the High Contracting Parties into or through the Territories or Possessions of the other, which shall not equally extend to the like article being the growth, produce or manufacture of any European country or of the United States of America. Nor shall any prohibition be imposed on the exportation of any article from the Territories of either of the High Contracting Parties to the Territories or Possessions of the other, which shall not equally extend to the exportation of the like article to the

para los territorios de las naciones europeas ó de los Estados Unidos de América. (110)

ARTÍCULO VI.

En todo lo concerniente al derecho de tránsito, almacenaje, primas facilidades, devoluciones y reesportaciones, los súbditos, ciudadanos, mercaderias y embarcaciones de cada una de las Altas Partes Contratantes, serán, bajo todos respectos, colocados en los territorios y posesiones de la otra en el mismo pié que los súbditos, ciudadanos, mercaderias, y embarcaciones de naciones europeas ó de los Estados Unidos de América. (111)

ARTÍCULO VII.

No se impondrá en los puertos, rios, ó estrechos del Japón á los buques de la República de Chile, ni en los puertos, rios ó estrechos de la Reqública de Chile á los buques del Japón, otros ó más altos derechos ó gravámenes, por razón de tonelaje faros, puerto, pilotaje, cuarentena, salvamento en caso de averias, ú otros derechos ó gravámenes semejantes ó correspondientes, de cualqniera naturaleza ó denominación, sea que se demanden á nombre ó en beneficio del Gobierno ó de funcionarios públicos, individuos privados, corporaciones ó establecimientos, que los que pagan ó pagaren en lo sucesivo en

territories of all European nations or of the United States of America. (110)

ARTICLE VI.

In all that relates to transit, warehousing, bounties, facilities, drawbacks, re-exports and transit duties, the subjects, citizens, merchandise and shipping of each of the High Contracting Parties, shall, in the Territories and Possessions of the other, be placed in all respects upon the same footing as the subjects, citizens, merchandise and shipping of European nations or of the United States of America. (111)

ARTICLE VII.

No other or higher duties or charges on account of tonnage, light or harbor dues, pilotage, quarantine, salvage in case of damage, or any other similar or corresponding duties or charges of whatever nature or under whatever denomination levied in the name or for the profit of Government, public functionaries, private individuals, corporations or establishments, shall be imposed in any of the ports, rivers or straits of Japan on vessels of the Republic of Chile, or in any of the ports, rivers or straits of the Republic of Chile on vessels of Japan, than are or may hereafter be

iguales casos los buques de naciones europeas ó de los Estados Unidos de América en los mismos puertos, rios, y estrechos. (111)

ARTÍCULO VIII.

Se exceptúa de las disposiciones del presente Tratado el comercio de cabotaje de las dos Altas Partes Contratantes, el cual será reglado de conformidad con las leyes del Japón y Chile respectivamente. (112)

ARTÍCULO IX.

Todos los buques que de acuerdo con las leyes y reglamentos del Japón deben considerarse buques Japóneses, y todos los buques que de acuerdo con las leyes y reglamentos de Chile deben considerarse buques chilenos, se reputarán para los fines de este Tratado buques japóneses y chilenos respectivamente. (112)

ARTÍCULO X.

Los súbditos y naves mercantes de Su Majestad Imperial que se trasladen á Chile ó permanezcan en sus aguas territoriales, estarán sometidos, mientras queden allí, á las leyes y jurisdicción de Chile; y de la misma manera los ciudadanos y naves mercantes de la República de Chile que se trasladen al Japón ó permanezcan en sus aguas territoriales estarán

payable in like cases in the same ports, rivers and straits on vessels of European nations or of the United States of America. (111)

ARTICLE VIII.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws of Japan and Chile respectively. (112)

ARTICLE IX.

All vessels which, according to Japanese laws and ordinances, are to be deemed Japanese vessels, and all vessels which, according to Chilean laws and regulations, are to be deemed Chilean vessels, shall, for the purposes of this Treaty, be deemed Japanese and Chilean vessels, respectively. (112)

ARTICLE X.

His Imperial Majesty's subjects and Japanese merchant vessels resorting to Chile or to the territorial waters thereof shall, so long as they there remain, be subject to the laws and jurisdiction of Chile; and, in the same maner, citizens of the Republic of Chile as well as Chilean merchant vessels resorting to Japan or to the territorial waters thereof shall be subject to the

sometidos, mientras queden allí, á las leyes del Japón y á la jurisdicción de sus tribunales de justicia. Queda, sin embargo, entendido que la estipulación de este artículo no se extiende á materias relacionadas exclusivamente con la discisplina interna de las naves de cualquiera de las Partes Contratantes en los puertos ó aguas territoriales de la otra. (112)

ARTÍCULO XI.

Los súbditos ó ciudadanos de cada una de las Altas Partes Contratantes en los territorios ó posesiones de la otra, recibirán y disfutarán recíprocamente en sus personas y propriedades la misma ámplia y perfecta protección que se dispensa á los súbditos y ciudadanos naturales; tendrán libre y abierto acceso á los tribunales de justicia para la prosecución y defensa de sus derechos, y podrán, de la misma manera que los súbditos ó ciudadanos naturales, emplear abogados, procuradores ó ajentes que les representen ante dichos tribunales de justicia.

Gozarán tambien entera libertad de conciencia y gozarán, en cuanto lo permitan las leyes que estuvieren en vigor, el derecho de ejercer privada ó públicamente su culto, como asímismo el derecho de enterrar á sus respectivos compatriotas, de acuerdo son los reglaws of Japan and to the jurisdiction of His Imperial Majesty's Courts. It is understood, however, that the provisions of this Article do not extend to matters relating exclusively to the internal discipline of the merchant vessels of either contracting party in the ports or territorial waters of the other. (112)

ARTICLE XI.

The subjects and citizens of each of the High Contracting Parties shall, in the Territories and Possessions of the other, reciprocally receive and enjoy the same full and perfect protection for their persons and property that is granted to native subjects or citizens, and they shall have free and open access to the Courts of Justice in said countries, respectively, for the prosecution and defense of their just rights; and they shall, equally with native subjects or citizens, be at liberty to employ advocates, attorneys or agents to represent them before such Courts of Justice.

They shall also enjoy entire liberty of conscience, and, subject to the laws for the time being in force, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs in

lamentos en vijencia, en lugares adecuados y convenientes que con tal objeto se establezcan y sostengan. (112).

ARTÍCULO XII.

Respecto de alojamiento militar, servicio militar obligatorio, sea en tierra ó mar, contribuciones de guerra, requisiciones militares ó empréstitos forzosas, los súbditos y ciudadanos de las dos Altas Partes Contratantes gozarán en los territorios y posesiones de la otra, los mismos privilejios, inmunidades y exenciones que se conceden ó concedieren á los súbditos ó ciudadanos de naciones europeas ó de los Estados Unidos de América. (113)

ARTÍCULO XIII.

El presente Tratado principiará á rejir inmediatamente después del canje de las ratificaciones y continuará en vigor hasta seis meses después que una de las Altas Partes Contratantes haya notificado á la otra su intención de ponerle término. (113)

ARTÍCULO XIV.

El presente Tratado será firmado por duplicado y en los idiomas japones, español é inglés; y en caso de que

such suitable and convenient places as may be established and maintained for the purpose subject to the regulations in force. (112)

ARTICLE XII.

In regard to billeting; forced or compulsory military service, whether by land or sea; contributions of war; military exactions or forced loans, the subjects and citizens of each of the two High Contracting Parties, shall, in the Territories and Possessions of the other, enjoy the same privileges, immunities and exemptions as may now or may hereafter be granted to the subjects or citizens of European nations or of the United States of America. (113)

ARTICLE XIII.

The present Treaty shall go into operation immediately after the exchange of ratifications, and shall continue in force until the expiration of six (6) months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same, and no longer. (113)

ARTICLE XIV.

The present Treaty shall be signed in duplicate in the Japanese, Spanish and English languages, and in case

llegara á encontrarse alguna discrepancia entre los textos japónés y español, será decidada de conformidad con el texto inglés que es obligatorio para los dos Gobiernos. (113)

ARTÍCULO XV.

El presente Tratado será ratificado por las dos Altas Partes Contratantes y las ratificacions serán canjeadas en Washington á la brevedad posible.

En fé de lo cual, los respectivos Plenipotenciarios firman este Tratado y le ponen sus respectivos sellos. (113)

Hecho por sextuplicado en Washington el día veinticinco del noveno més del año treinta del Meiji, correspondiente al veinticinco del més de Setiembre del año mil ochocientos noventa y siete.

(L. S) TORU HOSHI.
(L. S.) DOMINGO GANA.

there should be found any discrepancy between the Japanese and Spanish texts, it will be decided in conformity with the English text, which is binding upon both Governments. (113)

ARTICLE XV.

The present Treaty shall be ratified by the two High Contracting Parties and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof the respective Plenipotentiaries have signed this Treaty and hereunto affixed their respective seals. (113)

Done in sextuplicate at Washington this twenty fifth day of the ninth month of the thirtieth year of Meiji, corresponding to the twenty fifth day of September of the year one thousand eight hundred and ninety seven.

(L. S.) TORU HOSHI.
(L. S.) DOMINGO GANA.

ARTICULO ADDICINAL.

Signé à Tokio le 16e *jour du* 10e *mois de la* 32e *année de Meiji* (1899), *ratifié le* 28e *jour du* 6e *mois de la* 39e *année de Meiji* (1906); *ratifications échangées le* 24e *jour du* 9e *mois de la* 39e *année de Meiji* (1906 ; *promulgué le* 5e *jour du* 12e *mois de la* 39e *année de Meiji* (1906).

Su Majestad el Emperador del Japon y Su Excelencia el Presidente de

ADDITIONAL ARTICLE.

Signed at Tokio 16*th day of* 10*th month,* 32*nd year of Meiji* (1899); *ratified* 28*th day of* 6*th month, ratifications exchanged* 24*th day of* 9*th month, promulgated* 5*th day of* 12*th month,* 39*th year of Meiji* (1906).

His Majesty the Emperor of Japan and His Excellency the President of the

la República de Chile, deseando esplicar con toda claridad el alcance de las estipulaciones relativas al trataminto de la Nacion mas favorecida consignadas en el Tratado de Amistad, Comercio y Navegacion suscrito en Washington el vigésimo quinto dia del noveno mes del trigésimo año de Meiji, correspondiente al dia 25 de Setiembre de 1897, han designado y autorizado con ese obgeto, a saber: Su Majestad el Emperador del Japon al Vizconde Aoki Siuzo, Ministro de Relaciones Estetiores de Su Majestad Imperial, y Su Excelencia el Presidente de la República de Chile a Don Cárlos Morla Vicuña, Enviado Estraordinario y Ministro Plenipotenciario de Chile en la Corte de Su Majestad el Emperador del Japon, quienes han convenido en el siguiente artículo adicional:

Las Altas Partes Contratantes convienen en que, salvo la reserva que se establece en seguida, todo favor especial, privilegio o inmunidad que en materias de comercio o navegacion haya concedido o concediere una de ellas a los súbditos o ciudadanos o a las naves o productos de cualquiera otra Nacion, sera concedido en los mismos términos y condiciones a los súbditos y ciudadanos o a las naves o productos de la otra Parte Contratante. En consecuencia, y salvo la reserva mencionada, los súbditos, na-

Republic of Chile, desiring to clearly explain the scope of the stipulations relating to most favored nation treatment containd in the Treaty of Amity, Commerce and Navigation, signed at Washington on the 25th day of the 9th month of the 30th year of Meiji, corresponding to the 25th day of September, 1897, have, with that object, appointed and authorized, that is to say: His Majesty the Emperor of Japan, Viscount Siuzo Aoki, His Imperial Majesty's Minister of State for Foreign Affairs, and His Excellency the President of the Republic of Chile, Don Carlos Morla Vicuña, Envoy Extraordinary and Minister Plenipotentiary of Chile at the Court of His Majesty the Emperor of Japan, to agree to the following additional article:

The High Contracting Parties agree that, subject to the reservation hereinafter stated, all special favours, privileges or immunities in matters of commerce or navigation which have been granted or may hereafter be granted by one of them to the subjects or citizens, or to the vessels or products of any other Nation, shall be granted on the like terms and conditions, to the subjects or the citizens, or to the vessels or the products of the other Contracting Party. Consequently, subject to the said reservation, the subjects, vessels and products of Japan in

ves y productos del Japon en Chile, y los ciudadanos, naves y productos de Chile en el Japon, gozaran respectivamente de todas los favores, privilegios o inmunidades concedidas a súbditos o ciudadanos o a naves o productos de cualquiera otra Nacion.

Quedan, sinembargo, exceptuados de la estipulacion que precede todos los favores especiales, privilegios o inmunidades referentes al comercio o navegacion que el Japon haya concedido o concediere a cualpuiera Nacion independiente del Asia, como asi mismo los favores especiales, privilegios o inmunidades de igual naturaleza que Chile haya concedido o concediere a cualquiera República Latino-Americana.

El presente Artículo sera considerado come parte integrante del Tratado de Amistad, Comercio y Navegacion firmado en Washington el vigésimo quinto dia del noveno mes del trigésimo año de Meiji, correspondiente al dia 25 de Setiembre de 1897, de la misma manera como si a la letra se hallase incorporado en él; sera sometido a la ratificacion de las Altas Partes Contratantes, de conformidad con sus respectivas formas constitucionales y las ratificaciones seran canjeadas conjuntamente con el Tratado de que forma parte.

Chile and the citizens, vessels and products of Chile in Japan shall enjoy respectively all favours, privileges or immunities granted to the subjects or citizens or to the vessels or products of any other Nation.

There are, however, excepted from the foregoing stipulation all special favours, privileges or immunities relating to commerce or navigation which Japan has already granted or may hereafter grant to any independent Asiatic Nation, as well as the like special favours, privileges or immunities which Chile has already granted or may hereafter grant to the Latin American Republics.

The present Article shall be regarded as forming an integral part of the Treaty of Amity, Commerce and Navigation, signed at Washington on the 25th day of the 9th month of the 30th year of Meiji, corresponding to the 25th day of September, 1897, in the same manner as if it had been incorporated word by word in the Treaty itself. It shall be submitted to the ratification of the High Contracting Parties, in conformity with their respective constitutional provisions, and the ratifications shall be exchanged together with those of the Treaty of which it is a part.

En fe de lo cual, los respectivos Plenipotenciarios firman este Artículo Adicional y le ponen sus respectivos sellos. (114)

Hecho por sextuplicado en Tokio el décimo sexto dia del décimo mes del trigésimo segundo año de Meiji, correspondiente al dia 16 de Octubre de 1899.

(L. S.) VICOMTE AOKI.
(L. S.) CÁRLOS MORLA VICUÑA.

In witness whereof, the respective Plenipotentiaries have signed this Additional Article and hereunto affixed their respective seals. (114)

Done in sextuplicate at Tokyo this 16th day of the 10th month of the 32nd year of Meiji, corresponding to the 16th day of October, 1899.

(L. S.) VICOMTE AOKI.
(L. S.) CARLOS MORLA VICUÑA.

CHINE.

TREATY OF COMMERCE AND NAVIGATION.

Signed at Peking, 21st day of 7th month, 29th year of Meiji (1896); *Ratified 29th day of 9th month, 29th year of Meiji* (1896); *Ratifications exchanged at Peking, 20th day of 10th month, 29th year of Meiji* (1896); *and Promulgated 28th day of 10th month, 29th year of Meiji* (1896).

His Majesty the Emperor of Japan and His Majesty the Emperor of China, having resolved, in pursuance of the provisions of Articles VI. of the Treaty signed at Shimonoseki on the 17th day of the 4th month of the 28th year of Meiji, corresponding to the 23rd day of the 3rd month of the 21st year of Kuang Hsü, to conclude a Treaty of Commerce and Navigation, have for that purpose named as Their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan, Baron Hayashi Tadasu, Shoshii, Grand Cross of the Imperial Order of the Sacred Treasure, Grand Officer of the Imperial Order of the Rising Sun, Minister Plenipotentiary and Envoy Extraordinary ; and His Majesty the Emperor of China, Chang Yen Hoon, Minister of the Tsungli-yamen, holding the rank of the President of a Board and Senior Vice-President of the Board of Revenue ;

Who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

There shall be perpetual peace and friendship between His Majesty the Emperor of Japan and His Majesty the Emperor of China, and between their respective subjects who shall enjoy equally in the respective countries of the High Contracting Parties full and entire protection for their persons and property. (116)

ARTICLE II.

It is agreed by the High Contracting Parties that His Majesty the Emperor of Japan may, if He see fit, accredit a Diplomatic Agent to the Court of Peking and His Majesty the Emperor of China may, if He see fit, accredit a Diplomatic Agent to the Court of Tokio.

The Diplomatic Agent thus accredited shall respectively enjoy all the prerogatives, privileges and immunities accorded by international law to such Agents and they shall also in all respects be entitled to the treatment extended to similar Agents of the most favoured nation.

Their persons, families, suites, establishments, residences and correspondence shall be held inviolable. They shall be at liberty to select and appoint their own officers, couriers, interpreters, servants and attendants without any kind of molestation. (117)

ARTICLE III.

His Majesty the Emperor of Japan may appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents to reside at such of the ports, cities and towns of China, which are now, or may hereafter be, opened to foreign residence and trade, as the interests of the Empire of Japan may require.

Those officers shall be treated with due respect by the Chinese Authorities, and they shall enjoy all the attributes, authority, jurisdiction, privileges and immunities which are, or may hereafter be, extended to similar officers of the nation most favoured in these respects.

His Majesty the Emperor of China may likewise appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents to reside at any or all of those places in Japan, where Consular officers of other nations ars now, or may hereafter be, admitted, and, saving in the matter of jurisdiction in respect of Chinese subjects and property in Japan, which is reserved to the Japanese Judicial Courts, they shall enjoy the rights and privileges that are usually accorded to such officers. (117)

ARTICLE IV.

Japanese subjects may, with their families, employés and servants, frequent, reside and carry on trade, industries and manufactures, or pursue any other

lawful avocations in all the ports, cities and towns of China, which are now, or may hereafter be, opened to foreign residence and trade. They are at liberty to proceed to or from any of the open ports with their merchandise and effects, and within the localities at those places which have already been, or may hereafter be, set apart for the use and occupation of foreigners, they are allowed to rent or purchase houses, rent or lease land, and to build churches, cemeteries and hospitals, enjoying in all respects the same privileges and immunities as are now, or may hereafter be, granted to the subjects or citizens of the most favoured nation. (118)

ARTICLE V.

Japanese vessels may touch for the purpose of landing and shipping passengers and merchaadise in accordance with the existing Rules and Regulations concerning foreign trade there at all those places in China, which are now ports of call, namely, Ngan-ching, Ta-tung, Hu-kow, Wu-sueh, Lu-chi-kow and Woosung and such other places as may hereafter be made ports of call also. If any vessel should unlawfully enter ports other than open ports and ports of call in China or carry on clandestine trade along the coast or rivers, the vessel with her cargo shall be subject to confiscation by the Chinese Government. (119)

ARTICLE VI.

Japanese subjects may travel, for their pleasure or for purposes of trade, to all parts of the interior of China, under passports issued by Japanese Consuls and countersigned by the Local Authorities. These passports, if demanded, must be produced for examination in the localities passed through. If the passports be not irregular, the bearers will be allowed to proceed and no opposition shall be offered to their hiring of persons, animals, carts or vessels for their own conveyance or for the carriage of their personal effects or merchandise. If they be without passports or if they commit any offence against the law, they shall be handed over to the nearest Consul for punishment, but they shall only be subject to necessary restraint and in no case to ill-usage. Such passports shall remain in force for a period of thirteen Chinese months from the date of issue. Any Japanese subject travelling in the interior without a passport shall be liable to a fine not exceeding three hundred Taels.

Japanese subjects may, however, without passports go on excursions from any of the ports open to trade, to a distance not exceeding one hundred Chinese *li* and for a period not exceeding five days. The provisions of this Article do not apply to crews of ships. (119)

ARTICLE VII.

Japanese subjects residing in the open ports of China may take into their service Chinese subjects and employ them in any lawful capacity without restraint or hindrance from the Chinese Government or Authorities. (120)

ARTICLE VIII.

Japanese subjects may hire whatever boats they please for the conveyance of cargo or passengers and the sum to be paid for such boats shall be settled between the parties themselves, without the interference of the Chinese Government or officers. No limit shall be put upon the number of boats, neither shall a monopoly in respect either of the boats or of the porters or coolies engaged in carrying goods be granted to any parties. If any smuggling takes place in them the offenders will of course be punished according to law. (121)

ARTICLE IX.

The Tariffs and Tariff Rules now in force between China and the Western Powers shall be applicable to all articles upon importation into China by Japanese subjects or from Japan, or upon exportation from China by Japanese subjects or to Japan. It is clearly understood that all articles, the importation or exportation of which is not expressly limited or prohibited by the Tariffs and Tariff Rules existing between China and the Western Powers, may be freely imported into and exported from China, subject only to the payment of the stipulated import or export duties. But in no case shall Japanese subjects be called upon to pay in China other or higher import or export duties than are, or may be, paid by the subjects or citizens of the most favoured nation; nor shall any article imported into China from Japan or exported from China to Japan be charged upon such importation or exportation other or higher duties than are now, or may hereafter be, imposed in China on the like article when imported from or exported to the nation most favoured in those respects. (121)

ARTICLE X.

All articles duly imported into China by Japanese subjects or from Japan shall, while being transported, subject to the existing Regulations, from one open port to another, be wholly exempt from all taxes, imposts, duties, *lekin*, charges and exactions of every nature and kind whatsoever, irrespective of the nationality of the owner or possessor of the articles, or the nationality of conveyance or vessel in which the transportation is made. (122)

ARTICLE XI.

It shall be at the option of any Japanese subject desiring to convey duly imported articles to an inland market to clear his goods of all transit duties by payment of a commutation transit tax or duty, equal to one-half of the import duty in respect of dutiable articles, and two and half per cent, upon the value in respect of duty free articles ; and on payment thereof a certificate shall be issued, which shall exempt the goods from all further inland charges whatsoever. It is understood that this Article does not apply to imported opium. (123)

ARTICLE XII.

All Chinese goods and produce purchased by Japanese subjects in China elsewhere than at an open port thereof and intended for export abroad, shall in every part of China be freed from all taxes, imposts, duties, *lekin*, charges and exactions of every nature and kind whatsoever, saving only export duties when exported, upon the payment of a commutation transit tax or duty calculated at the rate mentioned in the last proceding Article substituting export duty for import duty, provided such goods and produce are actually exported to a foreign country within the period of twelve months from the date of the payment of the transit tax ; all Chinese goods and produce purchased by Japanese subjects at the open ports of China and of which export to foreign countries is not prohibited shall be exempt from all internal taxes, imposts, duties, *lekin*, charges and exactions of every nature and kind whatsoever, saving only export duties upon exportation and all articles purchased by Japanese subjects in any part of China, may also, for the purposes of export

abroad, be transported from open port to open port, subject to the existing Rules and Regulations. (123)

ARTICLE XIII

Merchandise of a *bona fide* foreign origin, in respect of which full import duty shall have been paid, may at any time within three years from the date of importation be re-exported from China by Japanese subjects to any foreign country, without the payment of any export duty ; and the re-exporters shall, in addition, be entitled forthwith to receive from the Chinese Customs drawback certificates for the amount of import duty paid thereon, provided that the merchandise remains intact and unchanged in its original packages. Such drawback certificates shall be immediately redeemable in ready money by the Chinese Customs Authorities at the option of the holders thereof. (124)

ARTICLE XIV.

The Chinese Government consents to the establishment of Bonded Warehouses at the several open ports of China. Regulations on the subject shall be made hereafter. (125)

ARTICLE XV.

Japanese merchant vessels of more than one hundred and fifty tons burden entering the open ports of China, shall be charged tonnage dues at the rate of four *mace* per registered ton ; if of one hundred and fifty tons and under, they shall be charged at the rate of one *mace* per registered ton. But any such vessel taking its departure within forty-eight hours after arrival, without breaking bulk, shall be exempt from the payment of tonnage dues.

Japanese vessels having paid the above specified tonnage dues shall thereafter be exempt from all tonnage dues in all the open ports and ports of call of China for the period of four months from the date of clearance from the port where the payment of such tonnage dues is made. Japanese vessels shall not, however, be required to pay tonnage dues for the period during which they are actually undergoing repairs in China.

No tonnage dues shall be payable on small vessels and boats employed by Japanese subjects in the conveyance of passengers, baggage, letters or duty free articles between any of the open ports of China. All small vessels and

cargo boats, however, conveying merchandise which is, at the time of such conveyance, subject to duty, shall pay tonnage dues once in four months at the rate of one *mace* per ton.

No fee or charges other than tonnage dues shall be levied upon Japanese vessels and boats, and it is also understood that such vessels and boats shall not be required to pay other or higher tonnage dues than the vessels and boats of the most favoured nation. (125)

ARTICLE XVI.

Any Japanese merchant vessel arriving at an open port of China shall be at liberty to engage the services of a pilot to take her into port. In like manner, after she has discharged all legal dues and duties and is ready to take her departure, she shall be allowed to employ a pilot to take her out of port. (126)

ARTICLE XVII.

Japanese merchant vessels compelled on account of injury sustained or any other cause to seek a place of refuge shall be permitted to enter any nearest port of China, without being subject to the payment of tonnage dues or duties upon goods landed in order that repairs to the vessel may be effected, provided the goods so landed remain under the supervision of the Customs Authorities. Should any such vessel be stranded or wrecked on the coast of China, the Chinese Authorities shall immediately adopt measures for rescuing the passengers and crew and for securing the vessel and cargo. The persons thus saved shall receive friendly treatment, and, if necessary, shall be furnished with means of conveyance to the nearest Consular station. Should any Chinese merchant vessel be compelled on account of injury sustained or any other cause to seek a place of refuge in the nearest port of Japan, she shall likewise be treated in the same way by the Japanese Authorities. (127)

ARTICLE XVIII.

The Chinese Authorities at the several open ports shall adopt such means as they may judge most proper to prevent the revenue suffering from fraud or smuggling. (128)

ARTICLE XIX.

If any Japanese vessel be plundered by Chinese robbers or pirates, it shall be the duty of the Chinese Authorities to use every endeavor to capture and punish the said robbers or pirates, and to recover and restore the stolen property. (128)

ARTICLE XX.

Jurisdiction over the persons and property of Japanese subjects in China is reserved exclusively to the duly authorized Japanese Authorities, who shall hear and determine all cases brought against Japanese subjects or property by Japanese subjects, or by the subjects or citizens of any other Power, without the intervention of the Chinese Authorities. (128)

ARTICLE XXI.

If the Chinese Authorities or a Chinese subject make any charge or complaint of a civil nature against Japanese subjects or in respect of Japanese property in China, the case shall be heard and decided by the Japanese Authorities.

In like manner all charges and complaints of a civil nature brought by Japanese Authorities or subjects in China against Chinese subjects or in respect of Chinese property, shall be heard and determined by the Chinese Authorities. (128)

ARTICLE XXII.

Japanese subjects charged with the commission of any crimes or offences in China shall be tried, and, if found guilty, punished by the Japanese Authorities according to the laws of Japan.

In like manner Chinese subjects charged with the commission of any crimes or offences against Japanese subjects in China shall be tried, and, if found guilty, punished by the Chinese Authorities according to the laws of China. (129)

ARTICLE XXIII.

Should any Chinese subjects fail to discharge debts incurred to a Japanese subject, or should be fraudulently abscond, the Chinese Authorities will do their

utmost to effect his arrest, and enforce recovery of the debts. The Japanese Authorities will likewise do their utmost to bring to justice any Japanese subject who fraudulently absconds or fails to discharge debts incurred by him to a Chinese subject. (129)

ARTICLE XXIV.

If Japanese subjects in China, who have committed offences or have failed to dischage debts and fraudulently abscond, should flee to the interior of China or take refuge in houses occupied by Chinese subjects or on board of Chinese ships, the Chinese Authorities shall, at the request of the Japanese Consul, deliver them to the Japanese Authorities.

In like manner if Chinese subjects in China, who have committed offences or have failed to discharge debts and fraudulently abscond, should take refuge in houses occupied by Japanese subjects in China or on board of Japanese ships in Chinese waters, they shall be delivered up, at the request of the Chinese Authorities made to the Japanese Authorities. (130)

ACTICLE XXV,

The Japanese Government and its subjects are hereby confirmed in all privileges, immunities and advantages conferred on them by the Treaty sipulations between Japan and China, which are now in force ; and it is hereby expressly stipulated that the Japanese Government and its subjects will be allowed free and equal participation in all privileges, immunities and advantages that may have been, or may be hereafter, granted by His Majesty the Emperor of China to the Government or subjects of any other nation. (130)

ARTICLE XXVI.

It is agreed that either of the High Contracting Parties may demand a revision of the Tariffs and of the Commercial Articles of this Treaty at the end of ten years from the date of the exchange of the ratifications ; but if no such demand be made on either side and no such revision be effected, within six months after the end of the first ten years, then the Treaty and Tariffs, in their present form, shall remain in force for ten years more, reckoned from the end of the preceding ten years, and so it shall be at the end of each successive period of ten years. (131)

ARTICLE XXVII.

The High Contracting Parties will agree upon Rules and Regulations necessary to give full effect to this Treaty. Until such Rules and Regulations are brought into actual operation, the Arrangements, Rules and Regulations subsisting between China and the Western Powers, so far as they are applicable and not inconsistent with the provisions of this Treaty, shall be binding between the Contracting Parties. (131)

ARTICLE XXVIII.

The present Treaty is signed in the Japanese, Chinese and English languages. In order, however, to prevent future discussions, the Plenipotentiaries of the High Contracting Parties have agreed upon that in case of any divergence in the interpretation between the Japanese and Chinese texts of the Treaty, the difference shall be settled by reference to the English text. (131)

ARTICLE XXIX.

The present Treaty shall be ratified by His Majesty the Emperor of Japan and His Majesty the Emperor of China, and the ratifications thereof shall be exchanged at Peking as soon as possible, and not later than three months from the present date.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms. (132)

Done at Peking this 21st day of the 7th month of the 29th year of Meiji, corresponding to the eleventh day of the sixth month of the 22nd year of Kuang Hsü.

[L. S.] 林 薈

Shoshii, Grand Cross of the Imperial Order ot the Sacred Treasure, Grand Officer of the Imperial Order of the Rising Sun, Minister Plenipotentiary and Envoy Extraordinary.

[L. S.] 張 蔭 桓

Minister Plenipotentiary, Minister of the Tsungli-yamen, holding the rank of the President of a Board and Senior Vice President of the Board of Revenue.

SUPPLEMENTARY TREATY OF COMMERCE.

Signed at Shanghai, 8th day of 10th month, 36th year of Meiji (1903); *Ratified 9th day of 12th month, 36th year of Meiji* (1903); *Ratifications exchanged at Peking, 11th day of 1st month, 37th year of Meiji* (1904); *Promulgated 19th day of 1st month, 37th year of Meiji* (1904).

His Majesty the Emperor of Japan and His Majesty the Emperor of China, in order to give full effect to the provisions of Article XI. of the Final Protocol signed at Peking on the seventh day of the ninth month of the thirty-fourth year of Meiji, corresponding to the twenty-fifth day of the seventh moon of the twenty-seventh year of Kuang-hsü, have resolved to conclude a Supplementary Treaty of Commerce and Navigation, designed to facilitate and promote the commercial relations between Japan and China, and have for that purpose named as Their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan, Hioki Eki, Jugoi, Fifth Class of the Imperial Order of the Rising Sun, First Secretary of Legation, and Odagiri Masnoske, Shorokui, Fifth Class of the Imperial Order of the Rising Sun, Consul-General ;

And His Majesty the Emperor of China, Lü Hai-huan, President of the Board of Public Works, Shèng Hsüan-Huai, Junior Guardian of the Heir Apparent, formerly Senior Vice-President of the Board of Public Works, and Wu T'ing-fang, Senior Vice-President of the Board of Commerce :

Who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Whereas China, with the object of reforming its fiscal system, proposes to levy a surtax in excess of the tariff rates on all goods passing through the Custom Houses, whether martime or inland and frontier, in order to compensate in a measure for the loss incurred by the complete abolition of *likin*, Japan consents to pay the same surtax as is agreed upon between China and all the Treaty Powers. With regard to the production tax, consumption tax and excise, and the taxes on native opium and salt, leviable by China, Japan

also consents to accept the same arrangements as are agreed upon between all the Treaty Powers and China. It is understood however that the commerce, rights and privileges of Japan shall not, on account of the above, be placed at any disadvantage as compared with the commerce, rights and privileges of other Powers. (135)

ARTICLE II.

The Chinese Government agree to permit Japanese steamship-owners to erect, at their own expense, appliances for hauling through the rapids of that part of the Yang-tze-kiang between Ichang and Chungking. But as the interests of the population of the provinces of Szechuen, Hunan and Hupeh are involved, it is therefore necessary that the approval of the Imperial Maritime Customs be obtained before such appliances may be so erected.

These appliances, which shall be at the disposal of the vessels both steamers and junks, shall not obstruct the waterway nor interfere with the free passage of junks or of persons on the banks of the river. Such appliances shall be subject to special regulations to be drawn up by the Imperial Maritime Customs. (136)

ARTICLE III.

The Chinese Government agree that any Japanese steamer capable of navigating the inland waterways, upon reporting at the Imperial Maritime Customs, may proceed for the purpose of trade from a treaty port to places inland, so reported, on complying with the Original and Supplementary Regulations for Steam Navigation Inland. (137)

ARTICLE IV.

In case Chinese subjects conjointly with Japanese subjects organise a partnership or company for a legitimate purpose, they shall equitably share the profits and losses with all the members according to the terms of the agreement or memorandum and articles of association and the regulations framed thereunder, and they shall be liable to the fulfilment of the obligations imposed by the said agreement or memorandum and articles of association and the regulations framed thereunder as accepted by them and as interpreted by Japanese Courts. Should they fail to fulfil the obligations so imposed and

legal action be taken against them in consequence, Chinese Courts shall at once enforce fulfilment of such obligations.

It is understood that in case Japanese subjects conjointly with Chinese subjects organise a partnership or company, they shall also equitably share the profits and losses with all the members according to the terms of the agreement or memorandum and articles of association and the regulations framed therunder. Should such Japanese subjects fail to fulfil any of the obligations imposed by the said agreement or memorandum and articles of association or by the regulations framed thereunder, Japanese Courts shall in like manner at once enforce fulfilment of such obligations by them. (137)

ARTICLE V.

The Chinese Government agree to make and faithfully enforce such regulations as are necessary for preventing Chinese subjects from infringing registered trade-marks held by Japanese subjects.

The Chinese Government likewise agree to make such regulations as are necessary for affording protection to registered copyrights held by Japanese subjects in the books, pamphlets, maps and charts written in the Chinese language and specially prepared for the use of Chinese people.

It is further agreed that the Chinese Government shall establish registration offices where foreign trade-marks and copyrights, upon application for the protection of the Chinese Government, shall be registered in accordance with the provision of the regulation to be hereafter framed by the Chinese Government for the purpose of protecting trade-marks and copyrights.

It is understood that Chinese trade-marks and copyrights properly registered according to the provisions of the laws and regulations of Japan will receive similar protection against infringement in Japan.

This Article shall not be held to protect against due process of law any Japanese or Chinese subject who may be the author, proprietor or seller of any publication calculated to injure the well-being of China. (138)

ARTICLE VI.

China agrees to establish itself, as soon as possible, a system of uniform national coinage and provide for a uniform national currency which shall be freely used as legal tender in payment of all duties, taxes and other obligations

by Japanese subjects as well as by Chinese subjects in the Chinese Empire. It is understood, however, that all Customs duties shall continue to be calculated and paid on the basis of the Haikwan tael. (139)

ARTICLE VII.

As the weights and measures used by the mercantile and other classes for general and commercial purposes in the different provinces of China vary and do not accord with the standards fixed by the Imperial Government Boards, thus resulting in detriment to the trade of Chinese and foreigners, the Governors-General and Governors of all the provinces, after careful inquiry into existing conditions, shall consult together and fix upon uniform standards which, after a Memorial to the Throne for sanction, shall be adopted and used in all transactions by officials and people throughout all the Empire. These standards shall be first used in the places opened to foreign trade and gradually extended to inland places. Any differences resulting from divergence between the new weights and measures and those now in vogue shall be equitably settled, whether by way of increase or decrease according to the amount of such difference. (140)

ARTICLE VIII.

The Regulations for Steam Navigation Inland of the fifth moon of the twenty-fourth year of Kuang-hsü and the Supplementary Rules of the seventh moon of the same year having been found in some respects inconvenient in working, the Chinese Government hereby agree to amend them and to annex such new Rules to this Treaty.

These Rules shall remain in force until altered by mutual consent. (140)

ARTICLE IX.

The provisions of all treaties and engagement now subsisting between Japan and China, in so far as they are not modified or repealed by this Act, are hereby confirmed; and it is hereby expressly stipulated in addition that the Japanese Government, Officers, Subjects, Commerce, Navigation, Shipping, Industries and Property of all kinds shall be allowed free and full participation in all privileges, immunities and advantages which have been or may hereafter be granted by His Majesty the Emperor of China or by the Chinese Govern-

ment or by the Provincial or Local Administrations of China to the Government, Officers, Subjects, Commerce, Navigation, Shipping, Industries or Property of any other nation.

The Japanese Government will do its utmost to secure to Chinese Officers and Subjects resident in Japan the most favourable treatment compatible with the laws and regulations of the Empire. (141)

ARTICLE X.

The High Contracting Parties hereto agree that, in case of and after the complete withdrawal of the foreign troops stationed in the province of Chili and of the Legation guards, a place of international residence and trade in Peking will be forthwith opened by China itself. The detailed regulations relating thereto shall be settled in due time after consultation.

The Chinese Government agree to open to foreign trade, within six months from the exchange of the Ratifications of this Treaty, Ch'angsha-fu in the province of Hunan on the same footing as the ports already opened to foreign trade. Foreigners residing in this open port are to observe the Municipal and Police Regulations on the same footing as Chinese residents, and they are not to be entitled to establish a Municipality and Police of their own within the limits of this treaty port, except with the consent of the Chinese authorities.

The Chinese Government agree that, upon the exchange of the Ratifications of this Treaty, Mukden and Tatungkow, both in the province of Shengking, will be opened by China itself as places of international residence and trade. The selection of suitable localities to be set apart for international use and occupation and the regulations for these places set apart for foreign residence and trade shall be agreed upon by the Governments of Japan and China after consultation together. (141)

ARTICLE XI.

The Government of China having expressed a strong desire to reform its judicial system and to bring it into accord with that of Japan and Western nations, Japan agrees to give every assistance to such reform, and will also be prepared to relinquish its extra-territorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration and other considerations warrant it in so doing. (143)

ARTICLE XII.

The present Treaty is signed in the Japanese, Chinese and English languages. In order, however, to prevent future discussions, the Plenipotentiaries of the High Contracting Parties have agreed that in case of any divergence in the interpretation between the Japanese and Chinese Texts of the Treaty, the difference shall be settled by reference to the English Text. (143)

ARTICLE XIII.

The present Treaty shall be ratified by His Majesty the Emperor of Japan and His Majesty the Emperor of China, and the Ratifications thereof shall be exchanged at Peking as soon as possible and not later than six months from the present date.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seals of their arms. (143)

Done at Shanghai this eighth day of the tenth month of the thirty-sixth year of Meiji, corresponding to the eighteenth day of the eighth moon of the twenty-ninth year of Kuang-hsü.

(L. S.) HIOKI EKI.
(L. S.) ODAGIRI MASNOSKE.

伍 盛 呂
廷 宣 海
芳 懷 寰

ANNEX 1.

INLAND WATERS STEAM NAVIGATION.

ADDITIONAL RULES.

1.—Japanese steamship-owners are at liberty to lease warehouses and jetties on the banks of waterways from Chinese subjects for a term not exceeding twenty-five years, with option of renewal on terms to be mutually arranged. In cases where Japanese merchants are unable to secure warehouses and jetties from Chinese subjects on satisfactory terms, the local officials, after consultation with the Governor or Governor-General or Minister of Commerce, shall arrange to provide these on renewable lease, as above mentioned, at current equitable rates. (144)

2.—Jetties shall only be erected in such positions that they will not obstruct the inland waterway or interfere with navigation, and with the sanction of the nearest Commissioner of Customs; such sanction, however, shall not be arbitrarily withheld. (145)

3.—Japanese merchants shall pay taxes and contributions on these warehouses and jetties on the same footing as Chinese proprietors of similar properties in the neighbourhood. Japanese merchants may only employ Chinese agents and staff to reside in warehouses so leased at places touched at by steamers engaged in inland traffic to carry on their business; but Japanese merchants may visit these places from time to time to look after their affairs. The existing rights of Chinese jurisdiction over Chinese subjects shall not by reason of this clause be diminished or interfered with in any way. (145)

4.—Steam vessels navigating the inland waterways of China shall be responsible for loss caused to riparian proprietors by damage which they may do to the banks or works on them, and for the loss which may be caused by such damage.

In the event of China desiring to prohibit the use of some particular shallow waterway by launches, because there is reason to fear that the use of it by them would be likely to injure the banks and cause damage to the adjoining country, the Japanese authorities, when appealed to, shall, if satisfied

of the validity of the objection, prohibit the use of that waterway by Japanese launches, provided that Chinese launches are also prohibited from using it.

Both Foreign and Chinese launches are prohibited from crossing dams and weirs at present in existence on inland waterways where they are likely to cause injury to such works, which would be detrimental to the water service of the local people. (146)

5.—The main object of the Japanese Government in desiring to see the inland waterways of China opened to steam navigation being to afford facilities for the rapid transport of both foreign and native merchandise, they undertake to offer no impediment to the transfer to a Chinese company and the Chinese flag of any Japanese steamer which may now or hereafter be employed on the inland waters of China, should the owner be willing to make the transfer.

In the event of a Chinese company registered under Chinse law being formed to run steamers on the inland waters of China, the fact of Japanese subjects holding shares in such a company shall not entitle the steamers to fly the Japanese flag. (147)

6.—Registered steamers and their tows are forbidden, just as junks have always been forbidden, to carry contraband goods. Infraction of this rule will entail the penalties prescribed in the treaties for such an offence, and cancellation of the Inland Waters Navigation Certificate carried by the vessels, which will be prohibited from thereafter plying on inland waters. (147)

7.—As it is desirable the people living inland should be disturbed as little as possible by the advent of steam vessels to which they are not accustomed, inland waters not hitherto frequented by steamers shall be opened as gradually as may be convenient to merchants and only as the owners of steamers may see prospect of remunerative trade.

In cases where it is intended to run steam vessels on waterways on which such vessels have not hitherto run, intimation shall be made to the Commissioner of Customs at the nearest open port, who shall report the matter to the Ministers of Commerce. The latter, in conjunction with the Governor-General or Governor of the province, after careful consideration of all the circumstances of the case, shall at once give their approval. (148)

8.—A registered steamer may ply within the waters of a port, or from one open port or ports to another open port or ports, or from one open port o ports to places inland, and thence back to such port or ports. She may, on

making due report to the Customs, land or ship passengers or cargo at any recognised places of trade passed in the course of the voyage; but may not ply between inland places exclusively except with the consent of the Chinese Government. (148)

9.—Any cargo and passenger boats may be towed by steamers. The helmsman and crew of any boat towed shall be Chinese. All boats, irrespective of ownership, must be registered before they can proceed inland. (149)

10.—The above Rules are supplementary to the Regulations published in the fifth and seventh moons of the twenty-fourth year of Kuang hsü, which remain in full force and effect in so far as they are not modified by the Rules now agreed upon.

The present Rules and the Regulations of the fifth and seventh moons of the twenty-fourth year of Kuang-hsü may hereafter be modified, as circumstances require, by mutual consent. (149)

Done at Shanghai this eighth day of the tenth month of the thirty-sixth year of Meiji, corresponding to the eighteenth day of the eighth moon of the twenty-ninth year of Kuang-hsü.

[L. S.] HIOKI EKI. 伍 盛 呂

[L. S.] ODAGIRI MASNOSKE. 廷 宣 海

芳 懷 寰

ANNEX 2.

Imperial Japanese Commissioners for Treaty Revision to
Imperial Chinese Commissioners for Treaty Revision.

Shanghai, the 8th Day of the 10th
Month of the 36th Year of Meiji.

Gentlemen,

According to Article III. of the present Treaty the Chinese Government agree that any Japanese steamer capable of navigating the Inland Waterways, upon reporting at the Imperial Maritime Customs, may proceed for the purpose of trade from a treaty port to places inland, so reported, on complying with the Original and Supplementary Regulations for Steam Navigation Inland.

It is understood that all classes of Japanese steamers, whatever their size, provided they are capable of navigating the Inland Waterways, may on complying with the Regulations receive an Inland Waters Certificate and carry on trade with inland places, and the Chinese Government will in no case raise difficulties and stop such steamers from plying to and from inland places.

We have the honour, in order to prevent future misunderstandings, to address this despatch to Your Excellencies and to request that instructions be sent to the Inspector General of Maritime Customs to act in accordance with this understanding. We have further the honour to request a reply from Your Excellencies.

We have the honour to be,
Gentlemen,
Your obedient Servants,
HIOKI EKI.
ODAGIRI MASNOSKE.

Their Excellencies
LU HAI-HUAN,
SHENG HSUAN-HUAI,
WU T'ING-FANG,
His Imperial Chinese Majesty's
Commissioners for Treaty Revision.

ANNEX 3.

Imperial Chinese Commssioners for Treaty Revision
to
Imperial Japanese Commissioners for Treaty Revision.

Shanghai, the 18th Day of the 8th Moon of the 29th Year of Kuang-hsü.

Gentlemen,

We have the honour to acknowledge the receipt of Your Excellencies' despatch of this date, written with a view of preventing future misunderstandings, to the effect that, in accordance with the provisions of Article III. of the present Treaty, all classes of Japanese steamers, whatever their size, provided they are capable of navigating the Inland Waterways, may on complying with the Regulations receive an Inland Waters Certificate and ply to and from inland places, and that the Chinese Government will in no case raise difficulties and stop them.

During the negotiations of this Article, we received a list from Your Excellencies of the Japanese steamers—viz. : Sanyo Maru, Setagawa Maru, Hiuga Maru, Urato Maru, Neisei Maru, Heian Maru, Taiko Maru, Yoshino Maru, Meiko Maru, Fukuju Maru, Hijikawa Maru, Nagata Maru, Kyodo Maru, Horai Maru, Kwanko Maru, Keiko Maru, Kinriu Maru, Zensho Maru and Kohei Maru, ranging from one hundred and twenty-one tons to four hundred and ten tons register—plying from Chefoo to inland places in Manchuria, under Inland Waters Certificate and in accordance with the Regulations for Steam Navigation Inland, which vessels have not been prevented from doing so on account of their class.

At that time we instructed the Deputy Inspector General of Customs to make inquiries into the records of the Custom Houses, and he reported that the circumstances were in accordance with Your Excellencies' statement.

In consequence of the receipt of Your Excellencies' despatch we shall communicate with the Wai-wu Pu and request that instructions be sent to the In-

spector General of Customs to take these circumstances into consideration and to act accordingly, and we have the honour to write this despatch for purposes of record.

We have the honour to be,
Gentlemen,
Your obedient Servants,

伍 盛 呂
廷 宣 海
芳 懷 宸

Their Excellencies
HIOKI EKI,
ODAGIRI MASNOSKE,
His Imperial Japanese Majesty's
Commissioners for Treaty Revision.

ANNEX 4.

Imperial Japanese Commissioners for Treaty Revision to
Imperial Chinese Commissioners for Treaty Revision.

Shanghai, the 8th Day of the 10th
Month of the 36th Year of Meiji.

Gentlemen,

The provision contained in No. 9 of the Supplementary Rules governing steam navigation on Inland Waters published in the seventh moon of the twenty-fourth year of Kuang-hsü, regarding the appointment of an officer to collect dues and duties, not having in all cases been given effect to, we have the honour to request that Your Excellencies' Government will again issue instructions to all provinces to give strict effect to this provision, as it is a matter of importance.

We trust that Your Excellencies will comply with the request contained in this despatch and that you will favour us with a reply.

We have the honour to be,
Gentlemen,
Your obedient Servants,
HIOKI EKI.
ODAGIRI MASNOSKE.

Their Excellencies
LU HAI-HUAN,
SHENG HUAN-HUAI,
WU T'ING-FANG,
His Imperial Chinese Majesty's
Commissioners for Treaty Revision.

ANNEX 5.

Imperial Chinese Commissioners for Treaty Revision to
Imperial Japanese Commissioners for Treaty Revision.

Shanghai, the 18th Day of the 8th
Moon of the 29th Year of Kuang-hsu.

Gentlemen,

We have the honour to acknowledge the receipt of Your Excellencies' despatch of this date to the effect that, the provision contained in No. 9 of the Supplementary Rules governing steam navigation on Inland Waters published in the seventh moon of the twenty-fourth year of Kuang-hsü, regarding the appointment of an officer to collect dues and duties, not having in all cases been given effect to, you request that instructions be again issued to all provinces to give strict effect to this provision, as it is a matter of importance.

We have noted the above and have communicated with proper authorities

in order that action may be taken, and have now the honour to write this reply for Your Excellencies' information.

We have the honour to be,
Gentlemen,
Your obedient Servants,

伍 盛 呂
廷 宣 海
芳 懷 衮

Their Excellencies
HIOKI EKI,
ODAGIRI MASNOSKE,
His Imperial Japanese Majesty's
Commissioners for Treaty Revision.

ANNEX 6.

Imperial Chinese Commissioners for Treaty Revision to
Imperial Japanese Commissioners for Treaty Revision.

Shanghai, the 18th Day of the 8th
Moon of the 29th Year of Kuang-hsü.

Gentlemen,

According to the provision of Article X. of this Treaty, regarding the establishment in Peking of a place of international residence and trade, it is agreed that in case of and after the complete withdrawal of the foreign troops, now guarding the Legations and Communications, a place in Peking outside the Inner City, convenient to both parties and free from objections, shall be selected and set apart as a place where merchants of all nationalities may reside and carry on trade. Within the limits of this place merchants of all nationalities shall be at liberty to lease land, build houses and warehouses, and establish

places of business ; but as to the leasing of houses and land belonging to Chinese private individuals, there must be willingness on the part of the owners and the terms thereof must be equitably arranged without any force or compulsion. All roads and bridges in this place will be under the jurisdiction and control of China. Foreigners residing in this place are to observe the Municipal and Police Regulations on the same footing as Chinese residents, and they are not to be entitled to establish a Municipality and Police of their own within its limits except with the consent of the Chinese authorities. When such place of international residence and trade shall have been opened and its limits properly defined, the foreigners who have been residing scattered both within and without the city walls, shall all be required to remove their residence thereto and they shall not be allowed to remain in separate places and thereby cause inconvenience in the necessary supervision by the Chinese authorities. The value of the land and buildings held by such foreigners shall be agreed upon equitably and due compensation therefor shall be paid. The period for such removal shall be determined in due time, and those who do not remove before the expiry of this period shall not be entitled to compensation.

We have considered it to be to our mutual advantage to come to the present basis of understanding in order to avoid futre unnecessary negotiations, and we beg that Your Excellencies will consider and agree to it and will favour us with a reply.

We have the honour to be,
Gentlemen,
Your obedient Servants,

吳 盛 呂
廷 宣 海
芳 懷 寰

Their Excellencies
HIOKI EKI,
ODAGIRI MASNOSKE,
His Imperial Japanese Majesty's
Commissioners for Treaty Revision.

ANNEX 7.

Imperial Japanese Commissioners for Treaty Revision to
Imperial Chinese Commissioners for Treaty Revision.

Shanghai, the 8th Day of the 10th
Month of the 36th Year of Meiji.

Gentlemen,

We have the honour to acknowledge the receipt of Your Excellencies' despatch of this date in which you state that—

"According to the provision of Article X. of this Treaty, regarding the establishment in Peking of a place of international residence and trade, it is agreed that in case of and after the complete withdrawal of the foreign troops, now guarding the Legations and Communications, a place in Peking outside the Inner City, convenient to both parties and free from objections, shall be selected and set apart as a place where merchants of all nationalities may reside and carry on trade. Within the limits of this place merchants of all nationalities shall be at liberty to lease land, build houses and warehouses, and establish places of business; but as to the leasing of houses and land belonging to Chinese private individuals, there must be willingness on the part of the owners and the terms thereof must be equitably arranged without any force or compulsion. All roads and bridges in this place will be under the jurisdiction and control of China. Foreigners residing in this place are to observe the Mudicipal and Police Regulations on the same footing as Chinese residents, and they are not to be entitled to establish a Municipality and Police of their own within its limits except with the consent of the Chinese authorities. When such place of international residence and trade shall have been opened and its limits properly defined, the foreigners who have been residing scattered both within and without the city walls, shall all be required to remove their residence thereto and they shall not be allowed to remain in separate places and thereby cause inconvenience in the necessary supervision by the Chinese authorities. The value of the land and buildings held by such foreigners shall be agreed upon equitably and due compensation therefor shall be paid. The period for such removal

shall be determined in due time, and those who do not remove before the expiry of this period shall not be entitled to compension.

We have considered it to be to our mutual advantage to come to the present basis of understanding in order to avoid future unnecessary negotiations, and we beg that Your Excellencies will consider and agree to it and will favour us with a reply."

In reply we beg to inform you that we agree generally to all the terms contained in the despatch under acknowledgment. As to the detailed regulations, these shall in due time be considered and satisfactorily settled in accordance with Article X. of this Treaty; but it is understood that such regulations shall not differ in any respect to our prejudice from those which may be agreed upon between China and other Powers. We have the honour to send Your Excellencies this communication in reply and for your information.

We have the honour to be,

Gentlemen,

Your obedient Servants,

HIOKI EKI.

ODAGIRI MASNOSKE.

Their Excellencies

LÜ HAI-HUAN,

SHÊNG HSÜAN-HUAI,

WU TING-FANG,

His Imperial Chinese Majesty's

Commissioners for Treaty Revision.

AGREEMENT REGARDING THE IMPORT TARIFF OF CHINA.

Signed at Shanghai, 29th day of 8th month, 35th year of Meiji (1902).

Whereas it was provided by the Final Protocol signed at Peking on the 7th of September, 1901 (Article VI.), that the existing tariff on goods imported

into China should be increased to an effective five per cent, and whereas it was further provided that all duties levied on imports *ad valorem* should be converted as far as feasible and with the least possible delay into specific duties, this conversion to be effected in the following manner :— The average value of merchandise at the time of landing during the three years 1897, 1898 and 1899, that is to say, the market-price less the amount of import duty and incidental expenses to be taken as the basis for the valuation of such merchandise :—

The Special Commissioners of :

Austria-Hungary,
Mr. E. von HIRSCH,

Belgium,
M. D. SIFFERT,

Germany,
Dr. A. BOYE,

Great Britain,
Sir James L. MACKAY,

Japan,
Mr. E. HIOKI,
Mr. M. ODAGIRI,
Mr. J. YAMAOKA,

Netherlands,
M. G. D. ADNOCAAT,
Mr. F. B. S'JACOB,

Spain,
M. D. SIFFERT,

and of China,
Their Excellencies LU HAI-HUAN and
SHENG HSUAN-HUAI,

have agreed and determined, on the basis aforesaid, upon the Tariff hereto appended together with certain Rules for the application thereof : and do hereby agree that the said Tariff and Rules shall be binding on the Governments and subjects of their respective Countries and of China.

The Tariff and Rules aforesaid shall be binding on and after the 21st October, 1902, the first day of the tenth Chinese moon.

Should it be ascertained hereafter that any articles have been omitted from this Tariff which it is found can be conveniently provided for on a specific basis in terms of the Final Protocol of 1901, it is understood that the necessary additions shall be made at rates to be mutually agreed upon by Representatives of the various Powers by whom this Tariff has been signed.

It is understood that, in the event of there being any difference of meaning between the English and Chinese Texts of the Tariff and Rules, the sense as expressed in the English Text shall be held to be the correct sense.

The present Agreement has been drawn up in eight identic copies and signed by all the Special Commissioners of the Countries aforesaid. One copy shall be given to the Special Commissioners of each Foreign Country, and one copy shall be given to the Chinese Special Commissioners. (162)

Subject to the approval of His Imp. & Roy. Apostolic Majesty's Government

盛 呂
宣 海
壞 寰

E. v. HIRSCH

ad referendum
D. SIFFERT

ad referendum
ADVOCAT

Dr. BOYE

ad referendum
Jas. L. MACKAY
D. SIFFERT

E. HIOKI

ad referendum
M. ODAGIRI
F. B. S'JACOB

J. YAMAOKA

Shanghai, Friday, August, 29th, 1902.

IMPORT TARIFF.

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Agar-agar		Picul	0.300
Agaric. *See* Fungus.			
Amber		Catty	0.325
Aniseed, Star, 1st Quality (value *Tls.* 15 and over per picul).		Picul	1.000
,, ,, 2nd Quality (value under *Tls.* 15 per picul).		,,	0.440
Apricot Seed		,,	0.900
Arrowroot and Arrowroot Flour		Value	5 per cent.
Asafœtida		Picul	1.000
Asbestos Boiler Composition		,,	0.200
,, Fibre		,,	5.000
,, Millboard		,,	0.500

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Asbestos Packing, including Sheets and Blocks.		Picul	3.500
,, ,, Metallic		,,	5.000
,, Yarn		,,	2.250
Awabi		,,	1.500
Bacon and Ham		Value	5 per cent.
Bags, Grass		Thousand	1.250
,, Gunny		,,	4.250
,, ,, Old		Value	5 per cent.
,, Hemp		Thousand	4.250
,, ,, Old		Value	5 per cent.
,, Straw		Thousand	1.250
Baking Powder :—			
4 oz. bottles or tins		Dozen	0.083
6 ,, ,, ,,		,,	0.110
8 ,, ,, ,,		,,	0.145
12 ,, ,, ,,		,,	0.226
1 lb. ,, ,,		,,	0.303
3 ,, ,, ,,		,,	0.810
5 ,, ,, ,,		,,	1.350
Bark, Mangrove		Picul	0.073
,, Plum-tree		,,	0.120
,, Yellow (for dyeing)		Value	5 per cent.
,, ,, (Medicinal)		Picul	0.800
Barley, Pearl		,,	0.300
Basins, Tin (Common)		Gross	0.250
Basins, Iron, Enamelled :—			
Up to 9 ins. in diameter, Decorated or Undecorated.		Dozen	0.050
Over 9 ins. in diameter, Agate, Blue and White, Grey or Mottled, Undecorated.		,,	0.090
Over 9 ins. in diameter, Decorated (with Gold).		,,	0.175
Over 9 ins. in diameter, Decorated (without Gold).		,,	0.125

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Beads, Coral		Catty	0.750
,, Cornelian		Picul	7.000
,, Glass, of all kinds		Value	5 per cent.
Beer. *See* Wines, etc.			
Beeswax, Yellow		Picul	1.600
Belting		Value	5 per cent.
Betel-nut Husk, Dried		Picul	0.077
,, ,, Fresh		,,	0.018
,, Leaves, Dried		,,	0.045
Betel-nuts, Dried		,,	0.225
,, Fresh		,,	0.018
Bezoar, Cow, Indian		Value	5 per cent.
Biche de Mer, Black		Picul	1.600
,, White		,,	0.700
Bicycle Materials		Value	5 per cent.
Bicycles		Each	3.000
Birds Nests, 1st Quality		Catty	1.400
,, ,, 2nd ,,		,,	0.450
,, ,, 3rd ,,		,,	0.150
Blue, Paris		Picul	1.500
,, Prussian		,,	1.500
Bones, Tiger		,,	2.500
Books, Chinese			*Free*
,, (Printed), Charts, Maps, Newspapers and Periodicals			,,
Borax, Crude		,,	0.610
,, Refined		,,	1.460
Braid, Llama		,,	5.000
Bricks, Fire		Value	5 per cent.
Bronze Powder		Picul	2.200
Butter, in tins, jars, and other packages		,,	2.000
Buttons, Agate and Porcelain		12 gross	0.010
,, Brass, and other kinds (not Jewellery)		Gross	0.020

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Byrrh. *See* Wines, etc.			
Camphor		Picul	1.650
,, Baroos, Clean		Catty	2.450
,, ,, Refuse		Value	5 per cent.
Candles, 9 oz.		Case of 25 packages of 6 Candles	0.075
,, 12 ,,		,,	0.100
,, 16 ,,		,,	0.133
(*Other weights, Duty in proportion.*)			
Candles, of all kinds, differently packed		Picul	0.750
Canes, Bamboo		Thousand	0.400
,, Coir, 1 ft. long		Picul	0.200
,, ,, 5 ,, ,,		Thousand	0.300
Canned Fruits, Vegetables, etc. (*all weights and measures approximate*):—			
Apples, Apricots, Grapes — Pie Fruits		Dozen 2½ lb. cans	0.065
Peaches, Pears, Plums — Table Fruits		,,	0.057
Preserved Fruits, in glass bottles, jars, cardboard or wooden boxes, including weight of immediate package.		Picul	0.650
Asparagus		Dozen 2½ lb. tins	0.118
Corn		Dozen 2 lb. tins	0.054
Peas		,,	0.060
String Beans		,,	0.054
Tomatoes		Dozen 2½ lb. tins	0.054
All other Vegetables preserved in tins, bottles, or jars, including weight of immediate package.		Picul	0.525
Tomato Sauce and Catsup :—			
½ pint bottles		Dozen	0.054
1 ,, ,,		,,	0.087
Jams and Jellies :—			

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
1 lb. tins, bottles, or jars		Dozen	0.060
2 ,, ,, ,, ,,		,,	0.118
Milk (including Condensed)		Case of 4 dozen 1 lb. tins	0.250
Cream, Evaporated :—			
4 dozen pints (family size)		Case	0.230
2 ,, quarts (hotel size)		,,	0.260
Canned Meats :—			
Bacon or Ham, Sliced :—			
½ lb. tins		Dozen	0.077
1 ,, ,,		,,	0.144
Dried Beef, Sliced		Dozen 1 lb. jars	0.144
Mincemeat :—			
1½ lb. pails		Dozen	0.100
3 ,, ,,		,,	0.181
Kits, ½ barrels and barrels		Picul	0.729
Pork and Beans, Plain or with Tomato Sauce :—			
1 lb. tins		Dozen	0.040
2 ,, ,,		,,	0.075
3 ,, ,,		,,	0.085
Potted and Devilled Meat :—			
¼ lb. tins		,,	0.022
½ ,, ,,		,,	0.042
Potted and Devilled Poultry and Poultry and Meat combined :—			
¼ lb. tins		,,	0.042
½ ,, ,,		,,	0.072
Soup and Bouilli :—			
2 lb. tins		,,	0.101
6 ,, ,,		,,	0.244
Tamales Chicken :—			
½ lb. tins		,,	0.051
1 ,, ,,		,,	0.080

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Tongues of every description :—			
½ lb. tins		Dozen	0.098
1 ,, ,,		,,	0.204
1½ ,, ,,		,,	0.287
2 ,, ,,		,,	0.333
2½ ,, ,,		,,	0.445
3 ,, ,,		,,	0.515
3¼ ,, ,,		,,	0.545
All other Canned Meats, including Game, of every description, with or without Vegetables :—			
½ lb. tins		,,	0.052
1 ,, ,,		,,	0.063
2 ,, ,,		,,	0.120
4 ,, ,,		,,	0.210
6 ,, ,,		,,	0.370
14 ,, ,,		,,	0.810
Canvas and Cotton Duck, not exceeding 36 ins. wide.		Yard	0.010
Capoor Cutchery		Value	5 per cent.
Cardamoms, Superior, and Amomums		Picul	10.000
Cardamoms, Inferior, or Grains of Paradise		,,	1.000
,, Husk		,,	0.250
Cards, Playing		Value	5 per cent.
Cassia Buds		Picul	0.750
,, Lignea		,,	0.920
,, Twigs		,,	0.170
Cement		{ Cask of 3 piculs }	0.150
Cereals and Flour			*Free.*
Including Barley, Maize, Millet, Oats, Paddy, Rice, Wheat, and Flour made therefrom ; also Buckwheat and Buckwheat Flour, Cornflour and Yellow Corn Meal, Rye Flour, and Hovis Flour.			
But not including Arrowroot and Arrowroot Flour, Cracked Wheat, Germea,			

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Hominy, Pearl Barley, Potato Flour, Quaker Oats, Rolled Oats, Sago and Sago Flour, Shredded Wheat, Tapioca and Tapioca Flour, and Yam Flour.			
Chairs, Vienna Bent-wood		Dozen	0.800
Charcoal		Picul	0.030
Cheese		Value	5 per cent.
Chestnuts		Picul	0.180
China-root, Whole, Sliced, or in Cubes		,,	0.650
Chinaware, Coarse and Fine		Value	5 per cent.
Chloride of Lime		Picul	0.300
Chocolate, Sweetened		Pound	0.012
Cigarettes, 1st Quality (value exceeding *Tls* 4.50 per 1,000).		Thousand	0.500
,, 2nd Quality (value not exceeding *Tls.* 4.50 per 1,000).		,,	0.090
Cigars		,,	0.500
Cinnabar		Picul	3.750
Cinnamon		,,	4.000
Clams, Dried		,,	0.550
Clocks, of all kinds		Value	5 per cent.
Cloves		Picul	0.630
,, Mother		,,	0.360
Coal, Asiatic		Ton	0.250
,, other kinds		,,	0.600
,, Asiatic, Briquettes		,,	0.500
Cochineal		Value	5 per cent.
Cockles, Dried		Picul	0.500
,, Fresh		,,	0.050
Cocoa		,,	3.600
Coffee		,,	1.000
Coir Canes, 1 ft. long		,,	0.200
,, ,, 5 ,,		Thousaud	0.300
Coke, Asiatic		Ton	0.500
,, other kinds		,,	0.900

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Compoy		Picul	2.000
Coral		Catty	1.110
„ Beads		„	0.750
„ Broken and Refuse		„	0.550
Cordage, of all kinds		Value	5 per cent.
Cornelian Beads		Picul	7.000
„ Stones, Rough		Hundred	0.300
Corundum Sand		Picul	0.195
Cotton Piece Goods :—			
Grey Shirtings or Sheetings : not exceeding 40 ins. wide and not exceeding 40 yds. long :			
(*a.*) Weight 7 lb. and under		Piece	0.050
(*b.*) „ over 7 lb. and not over 9 lb.		„	0.080
(*c.*) „ „ 9 „ „ „ „ 11 „		„	0.110
(*d.*) „ „ 11 „		„	0.120
Imitation Native Cotton Cloth (Handmade), Grey or Bleached :			
(*a.*) Not exceeding 20 ins. wide and not exceeding 20 yds. long; weight 3 pounds and under.		„	0.027
(*b.*) Exceeding 20 ins. wide		Value	5 per cent.
White Shirtings, White Irishes, White Sheetings, White Brocades, and White Striped or Spotted Shirtings : not exceeding 37 ins. wide and not exceeding 42 yds. long.		Piece	0.135
Drills, Grey or White : not exceeding 31 ins. wide and not exceeding 40 yds. long :			
(*a.*) Weight 12¾ lb. and under		„	0.100
(*b.*) „ over 12¾ lb.		„	0.125
Jeans, Grey or White :			
(*a.*) Not exceeding 31 ins. wide and not exceeding 30 yds long.		„	0.090
(*b.*) Not exceeding 31 ins. wide and not exceeding 40 yds. long.		„	0.120
T-Cloths, Grey or White :			
(*a.*) Not exceeding 34 ins. wide and not exceeding 24 yds long.		„	0.070

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
(*b.*) Not exceeding 34 ins. wide and exceeding 24 yds. but not exceeding 40 yds. long.		Piece	0.135
(*c.*) Exceeding 34 ins. but not exceeding 37 ins. wide and not exceeding 24 yds. long.		,,	0.080
Crimp Cloth and Crape, Plain :			
(*a.*) Not exceeding 30 ins. wide and not exceeding 6 yds. long.		,,	0.027
(*b.*) Not exeeeding 30 ins. wide, exceeding 6 yds. but not exceeding 10 yds. long.		,,	0.035
(*c.*) Not exceeding 30 ins. wide but exceeding 10 yds. long.		Yard	0.003½
White Muslins, White Lawns, and White Cambrics : not exceeding 46 ins. wide and not exceeding 12 yds. long.		Piece	0.032
Mosquito Netting, White or Coloured : not exceeding 90 ins. wide.		Yard	0.010
Lenos and Balzarines, White, Dyed, or Printed : not exceeding 31 ins. wide and not exceeding 30 yds. long.		Piece	0.090
Leno Brocades and Balzarine Brocades, Dyed.		Value	5 per cent.
Prints :			
(*a.*) Printed Cambrics, Lawns, or Muslins : not exceeding 46 ins. wide and not exceeding 12 yds. long.		Piece	0.037
(*b.*) Printed Chintzes, Printed Crapes, Printed Drills, Printed Furnitures, Printed Shirtings, Printed *T*-Cloths (including those goods known as Blue and White Printed *T*-Cloths), Printed Twills; but not including goods mentioned in (*e.*) and (*h.*) :			
(1.) Not exceeding 20 ins. wide.		Value	5 per cent.
(2.) Exceeding 20 ins. but not exceeding 31 ins. wide and not exceeding 30 yds. long.		Piece	0.080
(*c.*) Printed Crimp Cloth :			
(1.) Not exceeding 30 ins. wide and not exceeding 6 yds. long.		,,	0.027

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
(2.) Not exceeding 30 ins. wide, exceeding 6 yds. but not exceeding 10 yds. long.		Piece	0.035
(3.) Not exceeding 30 ins. wide but exceeding 10 yds. long.		Yard	0.003½
(*d.*) Printed Lenos and Balzarines: not exceeding 31 ins. wide and not exceeding 30 yds. long.		Piece	0.090
(*e.*) Printed Sheetings: not exceeding 36 ins. wide and not exceeding 43 yds. long.		,,	0.185
(*f.*) Printed Turkey Reds, of all kinds: not exceeding 31 ins. wide and not exceeding 25 yds. long.		,,	0.100
(*g.*) Printed Sateens, Printed Satinets, Printed Reps, Printed Cotton Lastings, including all Cotton Piece Goods which are both Dyed and Printed, except those specified in (*f.*) and (*h.*), and including any special finish, such as Mercerised Finish, Schreiner Finish, Gassed Finish, Silk Finish, or Electric Finish: not exceeding 32 ins. wide and not exceeding 32 yds. long.		,,	0.250
(*h.*) Duplex Prints or Reversible Cretonnes (not including those goods known as Blue and White Printed *T*-Cloths).		Value	5 per cent.
Dyed Cottons:			
(*a.*) Dyed plain Cottons, *i.e.*, *without woven or embossed figures* (including Plain Italians, Lastings, Reps, and Ribs, and all other Dyed Plain Cottons not otherwise enumerated, and including any special finish, such as Mercerised Finish, Schreiner Finish, Gassed Finish, Silk Finish, or Electric Finish): not exceeding 36 ins. wide and not exceeding 33 yds. long.		Piece	0.240

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
(*b.*) Dyed Figured Cottons, *i.e.*, *with woven or embossed figures* (including Figured Italians and Lastings, Figured Reps, and Figured Ribs,and all other Dyed Figured Cottons not otherwise enumerated, and including any special finish, such as Mercerised Finish, Schreiner Finish, Gassed Finish, Silk Finish, or Electric Finish) : not exceeding 36 ins. wide and not exceeding 33 yds. long.		Piece	0.150
(*c.*) Dyed Crimp Cloth :			
(1.) Not exceeding 30 ins. wide and not exceeding 6 yds. long.		,,	0.027
(2.) Not exceeding 30 ins. wide, exceeding 6 yds. but not exceeding 10 yds. long.		,,	0.035
(3.) Not exceeding 30 ins. wide but exceeding 10 yds. long.		Yard	0.003½
(*d.*) Dyed Drills : not exceeding 31 ins. wide and not exceeding 43 yds. long.		Piece	0.170
(*e.*) Dyed Lenos and Balzarines : not exceeding 31 ins. wide and not exceeding 30 yds. long.		,,	0.090
(*f.*) Dyed Leno Brocades		Value	5 per cent.
(*g.*) Dyed Muslins, Lawns and Cambrics : not exceeding 46 ins. wide and not exceeding 12 yds. long.		Piece	0.037
(*h.*) Dyed Shirtings and Sheetings : not exceeding 36 ins. wide and not exceeding 43 yds. long.		,,	0.150
(*i.*) Hongkong-dyed Shirtings : not exceeding 36 ins. wide and not exceeding 20 yds. long.		,,	0.100
(*j.*) Dyed Cotton Cuts : not exceeding 36 ins. wide and not exceeding 5¼ yds. long.		Piece	0.022½

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
(*N.B.*—The *pro rata* rule does not apply.)			
(*k.*) Dyed *T*-Cloths (including Dyed Alpacianos), Dyed Real and Imitation Turkey Reds of all kinds: not exceeding 32 ins. wide and not exceeding 25 yds. long :			
(1.) Weight 3¼ lb. and under		Piece	0.060
(2.) ,, over 3¼ lb.....		,,	0.100
Flannelettes and Cotton Spanish Stripes :			
(*a.*) Cotton Flannel, Canton Flannel, Swansdowns, Flannelettes, and Raised Cotton Cloths of all kinds, Plain, Dyed, and Printed :			
(1.) Not exceeding 36 ins. wide and not exceeding 15 yds. long.		,,	0.065
(2.) Not exceeding 36 ins. wide, exceeding 15 yds. but not exceeding 30 yds. long.		,,	0.130
(*b.*) Dyed Cotton Spanish Stripes :			
(1.) Not exceeding 32 ins. wide and not exceeding 20 yds. long.		,,	0.085
(2.) Exceeding 32 ins. but not exceeding 64 ins. wide and not exceeding 20 yds. long.		,,	0.170
Coloured Woven Cottons, *i.e.*, dyed in the Yarn, except Crimp Cloth.		Value	5 Per cent.
Crimp Cloth :			
(*a.*) Not exceeding 30 ins. wide and not exceeding 6 yds. long.		Piece	0.027
(*b.*) Not exceeding 30 ins. wide and exceeding 6 yds. but not exceeding 10 yds. long.		,,	0.035
(*c.*) Not exceeding 30 ins. wide but exceeding 10 yds. long.		Yard	0.003½
Velvets and Velveteens, Velvet Cords, and Fustians :			
(*a.*) Velvets and Velveteens, Plain :			
(1.) Not exceeding 18 ins. wide...		,,	0.006

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
(2.) Exceeding 18 ins. but not exceeding 22 ins. wide.		Yard	0.007
(3.) Exceeding 22 ins. but not exceeding 26 ins. wide.		,,	0.008
(*b.*) Velvets and Velveteens, Printed or Embossed: not exceeding 30 ins. wide.		,,	0.015
(*c.*) Dyed Velvet Cords, Dyed Velveteen Cords, Dyed Corduroys, Dyed Fustians of any description: not exceeding 30 ins. wide.		,,	0.015
Blankets, Cotton, Plain, Printed, or Jacquard.		Piece	0.030
Handkerchiefs, Cotton:			
(*a.*) Plain, Dyed, or Printed, not Embroidered, Hem-stitched, or Initialled: not exceeding 1 yd. spuare.		Dozen	0.020
(*b.*) All other Handkerchiefs		Value	5 per cent
Singlets or Drawers, Cotton		Dozen	0.125
Socks, Cotton (including Lisle Thread):			
1st Quality (*i.e.*, valued at *Tls.* 1 or over per dozen pairs).		Dozen pairs	0.075
2nd Quality (*i.e.*, valued at less than *Tl.* 1 per dozen pairs).		,,	0.032
Towels, Cotton:			
(*a.*) Honeycomb or Huckaback, Plain or Printed (dimensions exclusive of fringe):			
(1.) Not exceeding 18 ins. wide and not exceeding 40 ins. long.		Dozen	0.020
(2.) Exceeding 18 ins. wide and not exceeding 50 ins. long.		,,	0.030
(*b.*) All other Towels		Value	5 per cent.
Cottons, Unclassed		,,	,,
Cotton, Raw		Picul	0.600
Cotton Thread:—			
Ball Thread, Dyed or Undyed		,,	3.000
On spools, 50 yds.		Gross	0.040
,, ,, 100 ,, ...		,,	0.080

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
On Spools, 200 yds.		Gross	0.160
Cotton Yarn, Grey or Bleached		Picul	0.950
,, ,, Dyed		Value	5 per cent.
,, ,, Gassed		,,	,,
,, ,, Mercerised		,,	,,
,, ,, Wooloa or Berlinette		Picul	3.500
Cow Bezoar, Indian		Value	5 per cent.
Crabs Flesh		Picul	0.600
Crocodile (including Armadillo) Scales		,,	2.725
Currants		,,	0.500
Cutch		,,	0.300
Cuttle-fish		,,	0.667
Dyes, Colours, and Paints :—			
Aniline		Value	5 per cent.
Blue, Paris		Picul	1.500
,, Prussian		,,	1.500
Bronze Powder		,,	2.200
Carthamin		Value	5 per cent.
Chrome Yellow		,,	,,
Cinnabar		Picul	3.750
Gamboge		,,	2.700
Green, Emerald		,,	1.000
,, Schweinfurt, or Imitation		,,	1.000
Indigo, Dried, Artificial or Natural		Value	5 per cent.
,, Liquid, Artificial		Picul	2.025
,, ,, Natural		,,	0.215
,, Paste, Artificial		,,	2.025
Lead, Red, Dry or mixed with Oil		,,	0.450
,, White, ,, ,, ,,		,,	0.450
,, Yellow, ,, ,, ,,		,,	0.450
Logwood Extract		,,	0.600
Ochre		,,	0.600

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Smalt		Picul	1.600
Ultramarine		,,	0.500
Vermilion		,,	4.000
,, Imitation		Value	5 per cent.
White Zinc		,,	,,
Paints, Unclassed		,,	,,
Elephants Teeth (other than Tusks) and Jaws, Whole or Part.		Picul	3.000
,, Tusks, Whole or Parts		Catty	0.170
Emery Cloth and Sandpaper (sheets not exceeding 144 square ins.).		Ream	0.250
,, Powder		Value	5 per cent.
Enamelled Ironware :—			
Mugs, Cups, Basins, and Bowls, 9 ins. or under in diameter, Decorated or Undecorated.		Dozen	0.050
Basins and Bowls, over 9 ins. in diameter, Agate, Blue and White, Grey, Mottled —Undecorated.		,,	0.090
Basins and Bowls, over 9 ins. in diameter, Decorated (with Gold).		,,	0.175
Basins and Bowls, over 9 ins. in diameter, Decorated (without Gold).		,,	0.125
Enamelware, Unclassed		Value	5 per cent.
Fans, Palm-leaf, Coarse		Thousand	0.280
,, ,, Fine		,,	0.450
,, ,, Fancy		,,	1.000
,, Paper or Cotton, of all kinds		,,	1.400
,, Silk		Value	5 per cent.
Feathers, Kingfisher, Part Skins (*i.e.*, Wings, Tails, or Backs).		Hundred	0.250
,, ,, Whole Skins		,,	0.600
,, Peacock		Value	5 per cent.
Files. *See* Tools.			
Fireclay		Picul	0.050
Firewood		,,	0.010

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Fish, Cuttle		Picul	0.667
,, Dried or smoked, in bulk (including Stock-fish but not including Cuttle fish).		,,	0.315
,, Fresh		,,	0.137
,, Maws		,,	4.250
,, Salt		,,	0.160
,, Skins		,,	0.600
,, Stock		,,	0.315
Flints		,,	0.040
Flour. *See* Cereals.			
Flour, Arrowroot, Potato, Sago, Tapioca, Yam.		Value	5 per cent.
Fungus or Agaric		Picul	1.715
,, White		Catty	2.250
Galangal		Picul	0.170
Gambier		,,	0.300
,, False, or Cunao (Yam-root Dyestuff).		,,	0.150
Gamboge		,,	2.700
Gasolene or Stove Naphtha		10 gallon drum	0.150
Ginseng, Crude, 1st Quality (value exceeding *Tls.* 2 per catty).		Catty	0.220
,, Crude, 2nd Quality (value not exceeding *Tls.* 2 per catty).		,,	0.072
,, Clarified or Cleaned, 1st Quality (value exceeding *Tls* 11 per catty).		,,	1.100
,, Clarified or Cleaned, 2nd Quality (value exceeding *Tls.* 6 but not exceeding *Tls* 11 per catty).		,,	0.375
,, Clarified or Cleaned, 3rd Quality (value exceeding *Tls.* 2 but not exceeding *Tls.* 6 per catty).		,,	0.220
,, Clarified or Cleaned, 4th Quality (value not exceeding *Tls.* 2 per catty).		,,	0.080
Glass, Plate, Silvered		Square foot	0.025
,, ,, Unsilvered		Value	5 per cent.

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Glass, Powder (*see* Match-making Materials)		Picul	0.110
,, Window, Coloured, Stained, Ground, or Obscured.		{ box of 100 sq. feet }	0.350
,, ,, Common, not Stained, Coloured, or otherwise Obscured.		,,	0.170
Glue		Picul	0.830
Gold Thread, Imitation. *See* Thread.			
Ground-nuts		,,	0.150
Gum Arabic		,,	1.000
,, Benjamin		,,	0.600
,, ,, Oil of		Value	5 per cent.
,, Dragon's Blood		Picul	4.000
,, Myrrh		,,	0.465
,, Olibanum		,,	0.450
,, Resin		,,	0.187
Gutta-percha. *See* India-rubber.			
Hair, Horse		,,	1.400
,, ,, Tails		,,	2.500
Hams		Value	5 per cent.
Handkerchiefs. *See* Cotton Piece Goods.			
Hartall or Orpiment		Picul	0.450
Hemp		Value	5 per cent.
Hessians or Burlaps, all weights		1,000 yards	2.850
Hide Poison or Specific		Value	5 per cent.
Hides, Buffalo and Cow		Picul	0.800
Hollow-ware, Cast: Coated or Tinned		,,	0.500
Hoofs, Animal		,,	0.125
Hops		Value	5 per cent.
Horns, Buffalo and Cow		Picul	0.350
,, Deer		Value	5 per cent.
,, Rhinoceros		Catty	2.400
Hosiery. *See* Cotton Piece Goods (Socks).			

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
India-rubber and Gutta percha Articles (other than Boots and Shoes).		Value	5 per cent.
,, and Gutta-percha, Crude		Picul	3.140
,, Boots		Pair	0.080
,, Shoes		,,	0.020
,, Old (fit only for remanufacture).		Picul	0.250
Indigo, Dried, Artificial or Natural		Value	5 per cent.
,, Liquid, Artificial		Picul	2.025
,, ,, Natural		,,	0.215
,, Paste, Artificial		,,	2.025
Ink, Printing		Value	5 per cent.
Isinglass (Fish Glue)		Picul	4.000
,, Vegetable		,,	1.750
Jams and Jellies, 1 lb. tins, bottles, or jars		Dozen	0.060
,, ,, ,, 2 lb. ,, ,, ,, ,,		,,	0.118
Joss Sticks		Picul	0.640
Kerosene Oil Cans and Cases, Empty		{ 2 Cans in 1 Case }	0.005
Lace Open-work or Insertion-work of Cotton, Machine made :—			
(*a.*) Not exceeding 1 in. wide, outside measurement.		{ 12 dozen yards }	0.050
(*b.*) Exceeding 1 in. but not exceeding 2 ins. wide, outside measurement.		,,	0.100
(*c.*) ,, 2 ins. but not exceeding 3 ins. wide, outside measurement.		,,	0.166
(*d.*) ,, 3 ins. wide, outside measurement.		,,	0.216
Lace Open-work or Insertion-work of any fibrous material except Silk or Cotton or Imitation Gold or Silver Thread :—			
(*a.*) Machine made		Catty	0.500
(*b.*) Hand made (including Cotton)		,,	2.400
Lacquerware		Value	5 per cent
Lamps and their Accessories		,,	,,

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Lampwick		Picul	2.000
Lard, Pure or Compound		,,	0.600
Lead, Red, White, Yellow, Dry or mixed with Oil.		,,	0.450
Leather Belting		Value	5 per cent.
,, Calf		Picul	7.000
,, Coloured		,,	7.000
,, Cow		,,	2.500
,, Harness (not including Enamelled or Pig-skin).		,,	3.000
,, Kid		,,	7.000
,, Sole		,,	2.500
,, Patent		,,	7.000
,, all other kinds		Value	5 per cent.
Lichees, Dried		Picul	0.450
Lily Flowers, Dried		,,	0.325
,, Seed (*i.e.*, Lotus-nuts *without* Husks)		,,	1.000
Lime, Chloride of		,,	0.300
Linen		Value	5 per cent.
Liqueurs. *See* Wines, etc.			
Liquorice		Picul	0.500
Logwood Extract		,,	0.500
Lotus-nuts (*i.e.*, Lily Seeds *with* Husks)		,,	0.400
Lucraban Seed		,,	0.350
Lung-ngan Pulp		,,	0.550
Lung-ngans, Dried		,,	0.450
Macaroni and Vermicelli, and similar Pastes		Picul	0.325
Mace		Value	5 per cent.
Machines, Sewing, Hand or Foot		,,	,,
Madeira. *See* Wines, etc. (Vins de Liqueur).			
Malaga. *See* Wines, etc. (Vins de Liqueur).			
Malt		Picul	0.370

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Mangrove Bark		Picul	0.073
Manure, Chemical		Value	5 per cent.
Margarine, in tins, jars, or kegs		Picul	1.400
Marsala. *See* Wines, etc. (Vins de Liqueur).			
Matches, Rainbow or Brilliant		50 gross boxes	1.500
,, Wax Vestas: not exceeding 100 in a box.		10 gross boxes	1.600
,, Wood, Safety or other, Large: boxes not exceeding 2½ ins. × 1½ ins. × ¾ in.		50 gross boxes	0.630
,, Wood, Safety or other, Small: boxes not exceeding 2 ins. × 1⅜ ins. × ⅝in.		100 gross boxes	0.920
,, Wood, Safety or other, boxes exceeding above sizes.		Value	5 per cent.
Match-making Materials :—			
Glass Powder		Picul	0.110
Phosphorus		,,	4.125
Splints		,,	0.088
Wax, Paraffin		,,	0.500
Wood Shavings		,,	0.113
Mats, Coir (Door)		Dozen	1.000
,, Formosa, Grass (Bed)		Each	0.050
,, Rush		Hundred	0.500
,, Straw		,,	0.225
,, Tatami		Each	0.045
Matting, Coir: not exceeding 36 ins. wide		Roll of 100 yards	2.750
,, Straw: ,, ,, 36 ,, ,,		Roll of 40 yards	0.250
Meats, in bulk :—			
Beef, Corned, Pickled, in barrels		Picul	0.375
Dry Salted Meat, in boxes and barrels		,,	0.475
,, Sausages		,,	0.808

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Ham and Breakfast Bacon, in boxes or barrels.		Value	5 per cent.
Lard, Pure or Compound		Picul	0.600
Melon Seeds		,,	0.250
Metals :—			
Anti-friction		Vaule	5 per cent.
Antimony		Picul	0.700
Brass and Yellow Metal :—			
Bars and Rods		,,	1.150
Bolts and Nuts and Accessories		,,	1.150
Foil		,,	1.675
Nails		,,	1.150
Screws		Value	5 per cent.
Sheets, Plates, and Ingots		Picul	1.150
Tubes		,,	1.150
Wire		,,	1.150
Copper :—			
Bars and Rods		,,	1.300
Bolts, Nuts, Rivets, and Washers		Value	5 per cent.
Ingots		Picul	1.175
Nails		,,	1.300
Sheets and Plates		,,	1.300
Slabs		,,	1.175
Tacks		Value	5 per cent.
Tubes		,,	,,
Wire		Picul	1.300
Dross, Iron		,,	0.160
,, ,, and Tin		,,	0.300

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Dross, Tin		Picul	0.500
German Silver, Sheets		,,	2.200
,, ,, Wire		,,	1.500
Iron and Mild Steel, New :—			
Anchors, and Parts thereof; Mill Iron; Mill and Ships Cranks; and Forgings for Vessels, Steam-engines, and Locomotives (weighing each 25 lb. or over).		,,	0.265
Angles		,,	0.140
Anvils, and Parts of		,,	0.400
Bar		,,	0.140
Bolts and Nuts		Value	5 per cent.
Castings, Rough		Picul	0.140
Chains, and Parts of		,,	0.265
Cobbles and Wire Shorts		,,	0.130
Hoops		,,	0.140
Kentledge		,,	0.075
Nail-rod		,,	0.140
Nails, Wire		,,	0.200
,, other kinds		Value	5 per cent.
Pig		Picul	0.075
Pipes and Tubes		Value	5 per cent.
Plate Cuttings		Picul	0.110
Plates and Sheets		,,	0.140
Rails		,,	0.125
Rivets		,,	0.250
Screws		Value	5 per cent.
Sheets and Plates		Picul	0.140
Tacks, Blue, of all sizes		,,	0.400
Wire		,,	0.250

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Iron, Galvanized :—			
Bolts and Nuts		Value	5 per cent.
Cobbles and Wire Shorts		Picul	0.130
Sheets, Corrugated		,,	0.275
,, Plain		,,	0.275
Tubes		Value	5 per cent.
Wire		Picul	0.250
,, Shorts		,,	0.130
Iron, Old, and Scrap, of any description (fit only for re-manufacture).		,,	0.090
Lead, in Pigs		,,	0.285
,, ,, Sheets		,,	0.330
,, Pipes		,,	0.375
Nickel, Unmanufacted		,,	2.600
Quicksilver		,,	4.280
Spelter		,,	0.375
Steel, Bamboo		,,	0.250
,, Bars		,,	0.250
,, Plates and Sheets		,,	0.250
,, Tool, and Cast		,,	0.750
,, Wire and Wire Rope		,,	0.750
Steel, Mild. *See* Iron.			
Tin Compound		Value	5 per cent.
,, Foil		,,	,,
,, Sheets and Pipes		Picul	1.725
,, Slabs		,,	1.500
,, Tacks, Blue, of all sizes		,,	0.400
Tinned Plates, Decorated		,,	0.350
,, ,, Plain		,,	0.290
White Metal, Sheets		,,	2.200
,, ,, Wire		,,	1.500
Yellow Metal. *See* Brass.			
Zinc Boiler Plates		,,	0.600

NAME OF ARTICLE. English.	Chinese.	TARIFF UNIT AND DUTY. Per.	*Hk. Tls.*
Zinc Powder		Picul	0.400
„ Sheets, including Perforated		„	0.520
Milk, Condensed, in tins		Case of 4 dozen 1 lb. tins	0.250
Mineral Waters		12 bottles or 24½-bottles	0.050
Mirrors		Value	5 per cent.
Morphia, in all forms		Ounce	3.000
Moulding		1,000 feet	1.050
Mushrooms		Picul	1.800
Musical Boxes		Value	5 per cent.
Musk		Catty	9.000
Mussels, Dried		Picul	0.400
Needles, No. 7/0		100 mille	1.800
„ No. 3/0		„	1.500
„ Assorted, not including 7/0		„	0.985
Nutgalls		Picul	0.870
Nutmegs		„	1.500
Oakum		„	0.500
Oil, Castor, Lubricating		„	0.510
„ „ Medicinal		„	1.000
„ Clove		Catty	0.150
„ Cocoa-nut		Picul	0.400
„ Colza		American gallon	0.050
„ Engine :—			
(*a.*) Wholly or partly of mineral origin		American gallon	0.015
(*b.*) All other kinds (except Castor)		„	0.025
„ Ginger		Picul	6.750
„ Kerosene		Case of 10 American gallons	0.070
„ „ in bulk		10 American gallons	0.050
„ „ Cans and Cases, Empty		2 Cans in 1 Cass	0.005

NAME OE ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Oil, Olive		{Imperial gallon}	0.062
,, Sandalwood		Catty	0.240
,, Wood		Picul	0.500
Olives, Fresh, Pickled, or Salted		,,	0.180
Opium		Picul {Duty / Likin}	30.000 / 80.000
,, Husk		Catty	0.062
Orange Peel		Picul	0.800
Oysters, Dried		Value	5 per cent.
Packing, Asbestos. *See* Asbestos.			
Packing, Engine and Boiler, all other kinds.		,,	5 per cent.
Paints. *See* Dyes, Colours, and Paints.			
Paper, Cigarette: not exceeding 2 ins. × 4 ins.		100,000 leaves	0.125
Paper, Printing, Calendered $\frac{\text{and}}{\text{or}}$ Sized		Picul	0.700
,, ,, Uncalendered or Unsized.		,,	0.300
,, Writing or Foolscap		,,	1.200
,, all other kinds		Value	5 per cent.
Peel, Orange		Picul	0.800
Pepper, Black		,,	0.760
,, White		,,	1.330
Perfumery		Value	5 per cent.
Phosphorus		Picul	4.125
Pitch		,,	0.125
Plushes and Velvets :—			
(*a.*) Plushes and Velvets of pure Silk		Catty	0.650
(*b.*) Silk Seal (with *Cotton* back)		,,	0.200
(*c.*) Plushes and Velvets of Silk mixed with other fibrous materials (with *Cotton* back).		,,	0.150
(*d.*) Plushes, all Cotton (including Mercerised).		,,	0.110
(*e.*) Velvets, Cotton. *See* Cotton Piece Goods.			
Pork Rind		Picul	0.500

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Prawns, Dried (*see also* Shrimps)		Picul	1.000
Preserved Fruits, in glass bottles, jars, cardboard or wooden boxes, including weight of immediate package.		,,	0.650
Purses, Leather (not including Silver or Gold mounted).		Gross	0.500
Putchuck		Picul	0.715
Raisins and Currants		,,	0.500
Rattan Chairs		Value	5 per cent.
,, Core		Picul	0.225
,, Skin		,,	0.750
Rattans, Split		,,	0.325
,, Whole		,,	0.225
Resin		,,	0.187
Ribbons, Silk, Silk and Cotton, Silk and other fibres, with or without Imitation Gold or Silver Thread.		Catty	0.550
Rope		Value	5 per cent.
Rose Maloes		Picul	1.000
Safflower		,,	0.525
Saké, in barrels		,,	0.400
,, ,, bottles		{12 bottles or} {24½ bottles}	0.110
Saltpetre and Nitrate of Soda		Picul	0.325
Sand, Red		,,	0.045
Sandalwood		,,	0.400
Sapanwood		,,	0.112
Seahorse Teeth		Value	5 per cent.
Seaweed, Cut		Picul	0.150
,, Long		,,	0.100
,, Prepared		,,	1.000
Seed, Lily (*i.e.*, Lotus-nuts *without* Husks).		,,	1.000
Seed, Lotus-nuts (*i.e.*, Lily Seeds *with* Husks).		,,	0.400
Seed, Lucraban		,,	0.350
,, Melon		,,	0.250

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Seed, Pine, or Fir-nuts		Picul	0.200
,, Sesamum		,,	0.200
Sharks Fins, Black		,,	1.608
,, ,, Clarified or Prepared		,,	6.000
,, ,, White		,,	4.600
Shellac		,,	2.500
Shells, Mother-of-pearl		,,	0.700
,, other kinds		Value	5 per cent.
Sherry. *See* Wines, etc. (Vins de Liqueur).			
Shoes and Boots, India-rubber, for Chinese :—			
Boots		Pair	0.080
Shoes		,,	0.020
Shrimps, Dried (*See also* Prawns)		Picul	0.630
Silk Piece Goods, all Silk (including Crape):—			
(*a.*) Plain		Catty	0.325
(*b.*) Brocaded or otherwise Figured		,,	0.700
Silk Piece Goods, Mixtures (*i.e.*, Silk and Cotton, or Silk and other materials) (including Crape but not including Mixtures with Real or Imitation Gold or Silver Thread):—			
(*a.*) Plain		,,	0.250
(*b.*) Brocaded or otherwise Figured		,,	0.500
Silver Thread, Imitation. *See* Thread.			
Sinews, Buffalo and Cow		Picul	0.550
,, Deer		,,	1.050
Singlets or Drawers, Cotton		Dozen	0.125
,, ,, Mixture		Value	5 per cent.
Skins, Fish		Picul	0.600
,, Sharks		Value	5 per cent.
Smalt		Picul	1.600
Snuff		Value	5 per cent.
Soap, Household and Laundry (includ-		Picul	0.240

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
ing Blue Mottled), in bulk, bars, and doublets weighing not less than ½ lb. each.			
Soap, Toilet and Fancy		Value	5 per cent.
Socks, Cotton (including Lisle Thread):—			
1st Quality (*i.e.*, valued at *Tls.* 1 or over per dozen pairs).		Dozen pairs	0.075
2nd Quality (*i.e.*, valued at less than *Tl.* 1 per dozen pairs).		,,	0.032
Soda Ash		Picul	0.150
,, Bicarbonate		,,	0.150
,, Caustic		,,	0.225
,, Crystals		,,	0.120
,, ,, Concentrated		,,	0.140
Soy		,,	0.250
Spirits. *See* Wines, etc.			
Spirits of Wine. *See* Wines, etc.			
Sticklac		,,	0.700
Stout. *See* Wines, etc.			
Sugar, Brown, up to No. 10 Dutch Standard.		,,	0.190
Sugar, Candy		,,	0.300
,, White, No. 11 Dutch Standard and over, including Cube and Refined.		,,	0.240
Sulphur and Brimstone, Crude		,,	0.150
,, ,, ,, Refined		,,	0.250
Sulphuric Acid		,,	0.187
Sunshades. *See* Umbrellas.			
Telescopes, Binoculars, and Mirrors		Value	5 per cent.
Thread, Cotton :—			
Balls, Dyed or Undyed		Picul	3.000
Spools, 50 yds.		Gross	0.040
Thread, Gold and Silver, Imitation, on Silk.		Value	5 per cent.
Thread, ,, ,, ,, Real		,,	,,
,, ,, Imitation, on Cotton		Catty	0.125

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Thread, Silver Imitation, on Cotton.....		Catty	0.090
Tiles, 6 ins. square		Hundred	0.600
Timber :—			
Beams, Hard-wood		Cubic foot	0.020
,, Soft-wood, including Oregon Pine and Californian Red-wood, on a thickness of 1 in.		1,000 sup. feet	1.150
Beams, Teak-wood		Cubic foot	0.081
Laths		Thousand	0.210
Masts and Spars, Hard-wood		Value	5 per cent.
,, ,, Soft-wood		,,	,,
Piles and Piling, including Oregon Pine and Californian Red-wood: on a thickness of 1 in.		1,000 sup. feet	1.150
Planks, Hard-wood.....		Cubic foot	0.020
,, and Flooring, Soft-wood, including Orgon Pine and Californian Red-wood, and allowing 10 per cent. of each shipment to be Tongued and Grooved : on a thickness of 1 in.		1,000 sup. feet	1.150
Planks, and Flooring, Soft-wood, Tongued and Groved, in excess of above 10 per cent.		Value	5 per cent.
Planks, Teak-wood		Cubic foot	0.081
Railway Sleepers		Value	5 per cent.
Teak-wood Lumber, of all lengths and description.		Cubic foot	0.081
Tinder		Picul	0.350
Tin-foil.....		Value	5 per cent.
Tobacco, Leaf.....		Picul	0.800
,, Prepared, in bulk		,,	0.950
,, ,, ,, tins or packages under 5 lb each.		Value	5 per cent.
Tools :—			
Axes and Hatchets		Dozen	0.500
Files, File Blanks, Rasps, and Floats, of all kinds :—			
Not exceeding 4 ins long.....		,,	0.040

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Exceeding 4 ins. and not exceeding 9 ins long.		Dozen	0.072
Exceeding 9 ins. and not exceeding 14 ins. long.		,,	0.168
Exceeding 14 ins. long		,,	0.224
Tortoiseshell		Catty	0.450
Trimmings, Bead		Value	5 per cent.
,, of Cotton, pure or mixed with other materials but not Silk.		,,	,,
,, of Cotton, mixed with Silk and Imitation Gold or Silver Thread.		,,	,,
Turmeric		Picul	0.185
Turpentine		Gallon	0.036
Twine		Value	5 per cent.
Ultramarine		Picul	0.500
Umbrella Frames		Dozen	0.080
Umbrellas, Parasols, and Sunshades:			
With Handles wholly or partly of Precious Metals, ivory, Mother-of-pearl, Tortoiseshell, Agate, etc., or Jewelled.		Value	5 per cent.
With all other Handles, all Cotton		Each	0.020
,, ,, ,, Mixtures, not Silk.		,,	0.030
,, ,, ,, Silk and Silk Mixtures.		,,	0.080
Varnish, Crude Lacquer, Gum Lacquer, or Oil Lacquer.		Value	5 per cent.
Vaseline		,,	,,
Vegetables, Dried and Salted or Pickled, in bulk.		,,	,,
Vermicelli		Picul	0.325
Vermilion		,,	4.000
Vermouth. *See* Wines, etc.			
Watches, of all kinds		Value	5 per cent.
Waters, Aerated and Mineral		{12 bottles or} {24½-bottles}	0.050
Wax, Bees, Yellow		Picul	1.600
,, Japan		,,	0.650

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Wax, Paraffin		Picul	0.500
„ Sealing		Value	5 per cent.
„ White		„	„
Wines, etc. :—			
Champagnes and all other Sparkling Wines, in bottles.		Case of 12 bottles or 24½-bottles	0.650
Still Wines, Red or white, exclusively the produce of the natural fermentation of grapes :			
(*a.*) Having less than 14 degrees of alcohol :			
(1.) In bottles		Case of 12 bottles or 24½-bottles	0.300
(2.) „ bulk		Imperial gallon	0.025
(*b.*) Having 14 degrees or more of alcohol ; also Vins de Liqueur other than Port.			
(1.) In bottles		Case of 12 bottles or 24½-bottles	0.500
(2.) „ bulk		Imperial gallon	0.150
Port Wine, in bottles		Case of 12 bottles or 24½-bottles	0.700
„ „ „ bulk		Imperial gallon	0.175
Vermouth and Byrrh		Case of 12 litres	0.250
Saké, in barrels		Picul	0.400
„ „ bottles		Case of 12 bottles or 24½-bottles	0.110
Brandies and Whiskies, in bulk		Imperial gallon	0.125
Brandy and Cognac, in bottles		Case of 12 reputed quarts	0.500
Whisky, in bottles		„	0.350
Other Spirits (Gin, Rum, etc.), in bottles.		Case of 12 reputed quarts	0.200
„ „ („ „ „) „ bulk		Imperial gallon	0.090

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Spirits of Wine, in packages of any description.		Imperial gallon	0.028
Ales, Beers, Cider, Perry, in bottles		Case of 12 reputed quarts or 24 reputed pints	0.085
,, ,, ,, ,, ,, casks		Imperial gallon	0.020
Porters and Stouts, in bottles		Case of 12 reputed quarts or 24 reputed pints	0.100
,, ,, ,, ,, casks		Imperial gallon	0.025
Liqueurs		Value	5 per cent.
Wood, Camagon		Picul	0.090
,, Ebony		,,	0.200
,, Fragrant		Value	5 per cent.
,, Garoo		Catty	0.100
,, Kranjee		Value	5 per cent.
,, Laka		Picul	0.125
,, Lignum-vitæ		Value	5 per cent.
,, Puru		Picul	0.075
,, Red		,,	0.200
,, Rose		,,	0.200
,, Sandal		,,	0.400
,, Sapan		,,	0.112
,, Scented.....		Value	5 per cent.
,, Shavings, Hinoki		Picul	1.000
Woollen and Cotton Mixtures :—			
Flannel (Woollen and Cotton) : not exceeding 33 ins. wide.		Yard	0.015
Italian Cloth, Plain or Figured, having warp entirely Cotton and all one colour, and weft entirely Wool and all one colour : not exceeding 32 ins. wide and not exceeding 32 yds. long.		Piece	0.372

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Poncho Cloth: not exceeding 76 ins. wide.		Yard	0.030
Spanish Stripes (Woollen and Cotton): not exceeding 64 ins. wide.		,,	0.014
Union Cloth: not exceeding 76 ins. wide		,,	0.030
Woollen and Cotton Mixtures, Unclassed, including Alpacas, Lustres, Orleans, Sicilians, etc.		Value	5 per cent.
Woollen Manufactures:—			
Blankets and Rugs		Pound	0.020
Broadcloth: not exceeding 76 ins. wide...		Yard	0.047½
Bunting: not exceeding 24 ins. wide and not exceeding 40 yds. long.		Piece	0.200
Camlets, Dutch: not exceeding 33 ins. wide and not exceeding 61 yds. long.		,,	1.000
Camlets, English: not exceeding 31 ins. wide and not exceeding 61 yds. long.		,,	0.500
Flannel: not exceeding 33 ins. wide		Yard	0.015
Habit Cloth: not exceeding 76 ins. wide		,,	0.047½
Lastings, Plain, Figured or Crêped: not exceeding 31 ins. wide and not exceeding 32 yds. long.		Piece	0.450
Llama Braid		Picul	5.000
Long Ells: not exceeding 31 ins. wide and not exceeding 25 yds. long.		Piece	0.250
Medium Cloth: not exceeding 76 ins. wide.		Yard	0.047½
Russian Cloth: not exceeding 76 ins. wide.		,,	0.047½
Spanish Stripes: not exceeding 64 ins wide.		,,	0.021
Woollens, Unclassd		Value	5 per cent.
Woollen and Worsted Yarns and Cords (not including Berlin Wool)		Picul	5.300
Berlin Wool		,,	4.000
Wooloa or Berlinette		,,	3.500
Worm Tablets, in bottles, not exceeding 60 pieces.		Dozen	0.035
Yarn, Asbestos		Picul	2.250

NAME OF ARTICLE.		TARIFF UNIT AND DUTY.	
English.	Chinese.	Per.	*Hk. Tls.*
Yarn, Coir		Value	5 per cent.
„ Cotton, Bleached or Grey		Picul	0.950
„ „ Dyed		Value	5 per cent.
„ „ Grey		Picul	0.950
„ „ Mercerised or Gassed		Value	5 per cent.
„ „ Wooloa or Berlinette		Picul	3.500
„ Wool, Berlin		„	4.000
„ Woollen and Worsted (not including Berlin Wool).		„	5.300

Note.—If any of the articles enumerated in this Tariff are imported in dimensions exceeding those specified, the Duty is to be calculated in proportion to the measurements as defined.

RULES.

RULE I.

Imports unenumerated in this Tariff will pay Duty at the rate of 5 per cent. *ad valorem ;* and the value upon which Duty is to be calculated shall be the market value of the goods in local currency. This market value when converted into Haikwan Taels shall be considered to be 12 per cent. higher than the amount upon which Duty is to be calculated.

If the goods have been sold before presentation to the Customs of the Application to pay Duty, the gross amount of the *bonâ fide* contract will be accepted as evidence of the market value. Should the goods have been sold on c. f. and i. terms, that is to say, without inclusion in the price of Duty and other charges, such c. f. and i. price shall be taken as the value for Duty-paying purposes without the deduction mentioned in the preceding paragraph.

If the goods have not been sold before presentation to the Customs of the Application to pay Duty, and should a dispute arise between Customs and importer regarding the value or classification of goods, the case will be referred to a Board of Arbitration composed as follows :—

An official of the Customs ;

A merchant selected by the Consul of the importer ; and

A merchant, differing in nationality from the importer, selected by the Senior Consul.

Questions regarding procedure, etc., which may arise during the sittings of the Board shall be decided by the majority. The final finding of the majority of the Board, which must be announced within fifteen days of the reference (not including holidays), will be binding upon both parties. Each of the two merchants on the Board will be entitled to a fee of Ten Haikwan Taels. Should the Board sustain the Customs valuation, or, in the event of not sustaining that valuation, should it decide that the goods have been undervalued by the importer to the extent of not less than 7½ per cent., the importer will pay the fees ; if otherwise, the fees will be paid by the Customs. Should the Board decide that the correct value of the goods is 20 per cent. (or more) higher than that upon which the importer originally claimed to pay Duty, the Customs authorities may retain possession of the goods until full Duty has been paid and may levy an additional Duty equal to four times the duty sought to be evaded.

In all cases invoices, when available, must be produced if repuired by the Customs.

RULE II.

The following will not be liable to Import Duty : Foreign Rice, Cereals, and Flour ; Gold and Silver, both Bullion and Coin ; Printed Books, Charts, Maps, Periodicals, and Newspapers.

A freight or part freight of Duty-free commodities (Gold and Silver Bullion and Foreign Coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to Tonnage Dues.

Drawbacks will be issued for Ships Stores and Bunker Coal when taken on board.

RULE III.

Except at the requisition of the Chinese Government, or for sale to Chinese duly authorised to purchase them, Import trade is prohibited in all Arms, Ammunition, and Munitions of War of every description. No Permit to land them will be issued until the Customs have proof that the necessary authority has been given to the importer. Infraction of this rule will be punishable by confiscation of all the goods concerned. The import of Salt is absolutely prohibited.

宜　呂
盛　海
懷　袁

Subject to the approval of his Imp. & Roy. Apostolic Majesty's Government,

E. v. HIRSCH.

ad referendum
D. SIFFERT.
Dr. BOYÉ.
Jas. L. MACKAY.
E. HIOKI.
M. ODAGIRI.
J. YAMAOKA.

ad referendum
ADVOCAAT.
F. B. S'JACOB.

ad referendum
D. SIFFERT.

ARRANGEMENT CONCERNANT LA RECTIFICATION DU COURS DU WHANGPOU.

Signé à Pékin le 27e jour du 9e mois de la 38e année de Meiji (1905).

Le Gouvernement Chinois étant désireux de substituer aux dispositions du Protocole de 1901 visant l'institution d'un Conseil fluvial pour la rivière Whanhpou et les attributions et ressources de ce Conseil, un *modus procedendi* nouveau, en faisant exécuter lui-même les travaux et en prenant à sa charge

la totalité des dépenses, et les Puissances signataires du Protocole final ayant souscrit à ce désir, il a été convenu des conditions énoncées ci-après :

ARTICLE I.

Le Taotai des Douanes et le Commissaire des Douanes de Shanghai sont chargés de la direction générale des travaux de rectification du cours du Whangpou et d'amélioration de la barre en deça et au delà de Wousung ainsi que de leur entretien.

Pour la police fluviale et sanitaire, l'éclairage et balisage, le service de pilotage etc., il sera procédé suivant les anciens règlements. (251)

ARTICLE II.

Trois mois après la signature du présent accord la Chine fera elle-même choix d'un ingénieur versé dans les questions de travaux fluviaux, et si la majorité des Représentants des Puissances signataires du Protocole final estime que l'ingénieur ainsi choisi possède des qualités requises, la Chine le désignera sur le champ pour entreprendre les travaux.

Dans le cas où, après le commencement des travaux, il y aurait lieu pour des raisons jugées valables par la majorité des Ministres intéressés, de procéder à son remplacement, le choix et la désignation du nouvel ingénieur s'effectuera dans les mêmes conditions que ci-dessus. (251)

ARTICLE III.

Pour tous les contrats d'entreprise générale ou partielle des travaux fluviaux, d'achat de matériel ou de machines etc., il sera procédé par voie de soumission publique, l'adjudication devant être faite au soumissionnaire offrant les conditions les plus avantageuses. (252)

ARTICLE IV.

Tous les trois mois un rapport détaillé sur les travaux exécutés et un état des dépenses effectuées seront établis et adressés pour examen au Corps Consulaire à Shanghai. (252)

ARTICLE V.

L'autorisation du Taotai et du Commissaire des Douanes de Shanghai sera

nécessaire pour la Construction de quais et de jetées ainsi que pour l'établissement de tous pontons ou maisons flottantes dans la rivière. (252)

ARTICLE VI.

Le Taotai et le Commissaire de Douanes de Shanghai auront le droit d'exproprier les appareils de mouillage fixes existants et d'établir un systeme d'ap pareils de mouillage publics dans la rivière. (252)

ARTICLE VII.

L'autorisation du Taotai et du Commissaire des Douanes sera nécessaire pour l'exécution des travaux de dragage et autres. (252)

ARTICLE VIII.

Le Taotai et le Commissaire des Douanes auront le droit d'acquérir tous terrains situés en dehors des concessions étrangères, nécessaires à l'exécution des travaux d'amélioration et de conservation du Whangpou et de disposer desdits terrains. Si, dans cet ordre d'idées, il était jugé utile d'exproprier des terrains et si ces terrains étaient la propriété d'étrangers, le prix sera fixé par une commission composée de 1) une personne choisie par l'autorité consulaire dont le propriétaire est ressortissant ; 2) une autre choisie par le Taotai et le Commissaire des Douanes ; 3) une autre choisie par le Doyen du Corps Consulaire. Si le Doyen du Corps Consulaire se trouvait être le consul du propriétaire, le troisième membre de la commission serait choisi par le Consul le plus ancien après le Doyen. Le Consul de qui ressortira l'intéressé devra assurer l'exécution de la décision arbitrale. S'il s'agissait de propriétés chinoises, la Douane procéderait à l'estimation et fixation du prix et à l'execution de la décision dans des conditions analogues.

Les propriétaires riverains tant chinois qu'étrangers auront un droit de préférence pour l'achat ou la prise à bail de tout terrain créé en avant de leurs propriétés par les asséchements effectués pour l'amélioration de la voie fluviale. Les prix d'acquisition de ces terrains seront fixés par une commission constituée ainsi qu'il est prescrit au paragraphe précédent ou suivant le cas par l'Autorité Douanière. (253)

ARTICLE IX.

Le Gouvernement Chinois prend à sa charge la totalité des dépenses des travaux fluviaux, sans percevoir aucune taxe ou contribution sur les terrains riverains ni sur le trafic des marchandises ou la navigation. (254)

ARTICLE X.

La Chine indique et donne, comme garantie de la totalité des dépenses des travaux fluviaux les droits entiers sur l'Opium de Ssetchouan et de Ssutchoufou au Kiangsou. Conformément aux prévisions du Protocole de 1901 elle consacrera à ces travaux annuellement et pendant vingt ans, une somme de 460000 Haikouan Taels. Si, dans le courant d'une année quelconque après le commencement des travaux les achats de matériel ou de machines etc., nécessitent une dépense exceptionnelle, la Chine, pour y faire face, pourra contracter un emprunt au moyen de bons gagés sur le revenu des droits sur l'opium précités. Pour l'amortissement et le service des intérêts de cet emprunt ainsi que pour les dépenses de toute nature afférentes à l'exécution des travaux ou à l'entretien des travaux déjà terminés, la Chine fournira annuellement un minimum de 460000 Haikouan Taels. Les autorités provinciales compétentes remettront cette somme par versements mensuels égaux, entre les mains du Taotai et du Commissaire des Douanes de Shanghai. Si les revenus désignés devenaient insuffisants, le Gouvernement Chinois devra fournir la somme spécifiée sur d'autres ressources. (254)

ARTICLE XI.

Si les travaux n'étaient pas effectués avec diligence, soin et économie, le Corps Consulaire, sur une décision prise à la majorité des votes, pourra signaler le fait au Taotai et au Commissaire des Douanes de Shanghai et leur demander de prescrire à l'ingénieur de prendre les mesures nécessaires pour y remédier ; si l'exécution des travaux continue à être défectueuses, le Corps Consulaire pourra de même recommander le renvoi de l'ingénieur ainsi que le choix et la désignation d'un autre dans les conditions prévues à l'article 2. Dans le cas où le Taotai et le Commissaire des Douanes de Shanghai ne tiendraient pas compte de ces démarches, le Corps Consulaire pourra saisir de la question les Représentants des Puissances intéressées. (255)

ARTICLE XII.

Lorsque les présentes stipulations auront été discutées, arrêtées et signées, les stipulations contenues dans le paragraphe b de l'article XI et dans l'annexe 17 du Protocole de 1901, seront suspendues, mais si la Chine ne fournit pas annuellement les fonds suffisants, conformément au nouvel accord, de telle manière que l'exécution des travaux s'en trouve entravée, ou si elle omet de se conformer à quelque autre stipulation essentielle du présent arrangement, les stipulations primitives du Protocole de 1901 et de l'annexe 17 reprendront, immédiatement, leur force. (256)

Pékin, le 27 Septembre 1905.

AGREEMENTS

ABOUT THE ESTABLISHMENT OF A MARITIME CUSTOMS OFFICE AT DAIREN AND THE INLAND WATERS STEAM NAVIGATION.

Signed at Peking, 30th day of 5th month, and published 11th day of 6th month, 40th year of Meiji (1907).

The Governments of Japan and China having agreed to the establishment of an office of the Chinese Imperial Maritime Customs at Dairen, the undersigned duly authorized by their respective Governments hereby engage to accept for the general guidance of that office, and as a preliminary and provisional measure, the detailed understanding set forth in the documents hereto attached, viz.,

A. Agreement about the establishment of a Maritime Customs office at Dairen, and

B. Inland Waters Steam Navigation.

And it is further agreed that in the spring of next year after the experience of one season there shall be a reconsideration of the present arrangement in order to fuller accord with local conditions and needs and that for the documents now accepted there shall be substituted a revised Agreement supple-

mented by an Ordinance, the former to be prepared by the Japanese Minister and the Inspector General of Customs and the latter by the Japanese Authorities of the leased territory in communication with the Commissioner of Customs at Dairen. And it is further understood that the Japanese Authorities will take steps to prevent smuggling from the leased territory into China and support the Chinese Authorities in the measures they adopt to prevent smuggling from China into the leased territory, and also that a suitable procedure shall be arranged for dealing with railway traffic at the Dairen terminus and the frontier station (Wa Tang Fien or other) and temporary regulations be made for collection of duties by the Customs. (257)

Signed : G. HAYASHI, Seal
Minister of Japan.

Signed : ROBERT HART, Seal
Inspector General of Customs.

Signed and sealed at Peking the 30th May, 1907.

A.

Agreement about the Establishment of a Maritime Customs Office at Dairen.

1. The Commissioner or the Chief of the Maritime Customs Office at Dairen is to be of Japanese nationality.

The Inspector General of Customs will come to an understanding with the Japanese Legation at Peking in case of appointing a new Commissioner.

2. The members of the Staff of the Maritime Customs Office at Dairen shall, as a rule, be of Japanese nationality; in case, however, of a suddenly occurring vacancy or of temporary requirements of the Service, members of other nationalities may be provisionally sent to Dairen.

3. The Inspector General of Maritime Customs will inform the Governor General of the leased territory beforehand about the change of the Commissioner of Customs at Dairen.

4. All correspondence between the Customs Office at Dairen and the Japanese authorities and Japanese merchants shall be conducted in the Japanese language.

Should, however, merchants of other nationality come to reside at Dairen they shall be at liberty to correspond in English or in Chinese.

5. Onmerc handise brought by sea to Dairen no Import Duty shall be levied. Import Duty according to existing Treaties shall be levied by the Maritime Customs Office on all merchandise or products passing the Japanese frontier of the leased territory into the interior of China. The Japanese Authorities agree to take suitable measures to assist as far as it is possible in the prevention of merchandise passing the Japanese frontier when not provided with a Permit or Pass by the Maritime Customs Office.

6. When Chinese merchandise or products brought from the interior of China into the Japanese leased territory are shipped from Dairen to other places, they will pay the Export Duty according to existing Treaties. Produce raised in, and merchandise manufactured from produce raised in or imported by sea into, the Japanese leased territory shall pay no Export Duty. The Duty to be paid by articles manufactured in the Japanese leased territory from materials brought there from the interior of China will be the same as at present paid by articles in similar circumtances in the German leased territory of Kiaochow.

7. Chinese merchandise or products brought from Chinese Treaty ports to Dairen shall pay no Duty as long as they remain inside Japanese territory; but if these Chinese merchandise or products pass the Japanese frontier into the interior of China, they shall pay according to existing Treaties.

8. Chinese merchandise shipped from Dairen, and having paid accordingly Export Duty, shall be provided with a receipt, on the producing of which it shall pay, on being landed at a Chinese Treaty port, a Coast Trade Duty according to existing Treaties.

9. For Japanese and other non-Chinese merchandise, on being shipped to Dairen from a Chinse Treaty port, the Import Duty paid at the latter port shall be refunded by Drawback according to treaty stipulations. On being imported to Dairen such merchandise shall pay no Duty, so long as it does not pass the Japanese frontier into the interior of China. On being re-exported from Dairen to other places outside China, such merchandise shall pay no Export Duty.

10. Chinese merchandise or products having been shipped from a Chinese Treaty port to Dairen and reshipped from there to places outside China shall on this occasion pay no Export Duty, in case that documentary evidence is pro-

duced of their having paid Export Duty at the Treaty port from which they came.

11. The Maritime Customs Office at Dairen shall take no part in the collection or administration of Tonnage Dues, Lighthouse Dues, or Port Dues.

12. The Customs Tariff in vigour in the Chinese Treaty ports shall be applied likewise by the Maritime Customs Office at Dairen.

13. The Japanese Government agree to set apart for the Maritime Customs Office sufficient space at Dairen for building office, lodgings for the staff, with suitable room for garden, stables, and servants quarters. The amount to be paid for the sale or lease of such ground is to be settled locally by mutual agreement.

14. The Chief of the Customs Office and the members of the staff shall be free from any obligation to act as jurors or assessors or from any other personal services.

15. The aforesaid Maritime Customs Office at Dairen shall be charged likewise exclusively with the granting and issuing of Transit Passes for merchandise going into the interior of China, as well as for merchandise coming from the interior of China to Dairen ; and this office will be charged as well with all and every function, right, or capacity which appertain in the Treaty ports to the so-called Chinese Customs Taotai.

16. For the Transit Passes mentioned in Article 15 the Duty according to existing Treaties—i. e. half of the amount of the Export or Import Duties—shall be collected by the Maritime Customs Office at Dairen.

17. The procedure to be observed in case of frauds or contraventions committed by merchants against the Maritime Customs rules shall be settled hereafter by a separate Agreement, but it is understood in principle that all judicial procedure rests with the Japanese tribunals.

18. In view of the possibility that with the development of commercial activity in the Japanese leased territory new requirements may arise which are not to be foreseen, it is understood that the present Agreement bears a provisional character, and that both parties to it agree to introduce amendments as soon as required for the purpose of remedying inconveniences which may arise in the practical execution of this Agreement.

Signed : G. HAYASHI, Seal
Minister of Japan.

Signed : ROBERT HART, Seal
Inspector General of Customs.

Signed and sealed at Peking the 30th May, 1907.

B.

Inland Water Steam Navigation.

1. The Chinese Maritime Customs having been formally authorised to function in Dairen are now empowered to issue inland steam navigation papers : steamers thus permitted to ply on the inland waters are to be guided generally by the rules and regulations of July and September 1898 and the additional rules of October 1903, but more especially by the regulations herebelow set forth.

2. Steamers about to ply in the inland waters are required to deposit their national papers, Foreign or Native, with the Customs, and will receive in exchange, on written application, the Inland Waters Certificate ; such Certificates are valid for one year, and a fee of Tls. 10.00 is payable on first issue and Tls. 2.00 for each annual renewal. Tonnage Dues are payable once every four months.

3. Such certificated steamers may ply according to regulations (1) from Dairen to a place or places inland and back, and (2) from Dairen to a place inland, thence to a Treaty port, thence to a place inland, and thence back to Dairen. On making due report to the local Customs or Tax Office, and paying local Dues or Duties, they may land or ship cargo or passengers at any recognised places of trade passed on the voyage, but they may not ply between inland places exclusively without special authority. If visiting another Treaty port on any such inland voyage, the Customs at such port are to be duly reported to and all port regulations, national and native, complied with.

4. Whenever certificated steamers quit or return to Dairen, they are to clear from and report to the Dairen Customs, handing in Outward and In-

ward Manifest of cargo, reporting places to be called at or called at, and paying the prescribed Duties. Opium and contraband goods are not to be carried inwards or outwards : if carried, the goods are confiscable and the vessel subject to a fine of $ 500.00, a second offence entailing withdrawal of Inland Waters Certificate and privileges.

5. The Japanese Authorities will assist the Dairen Customs to suppress smuggling—more especially the smuggling of Opium and contraband.

6. The transmission of Chinese closed mails between Darien and inland ports shall be free of charge and the postal administrations concerned will arrange a fitting procedure for the transmission of such Chinese closed mails through the Japanese leased territory from and to Chinese port offices outside that territory.

7. The application of the Inland Waters Steam Navigation understanding will be restricted to Steamers which ply on inland waters not inside the area of the Japanese leased territory.

Signed : G. HAYASHI, Seal

Minister of Japan.

Signed : ROBERT HART, Seal

Inspector General of Customs.

Signed and sealed at Peking the 30th May, 1907.

TREATY OF PEACE.

Signed at Shimonoseki, 17th day of 4th month, 28th year of Meiji (1895); *Ratified 30th day of 4th month, 28th year of Meiji* (1895); *Ratifications exchanged at Chefoo, 8th day of 5th month, 28th year of Meiji* (1895); *and Promulgated 10th day of 5th month, 28th year of Meiji* (1895).

His Majesty the Emperor of Japan and His Majesty the Emperor of China, desiring to restore the blessings of peace to their countries and subjects and to remove all cause for future complications, have named as their Plenipotentiaries for the purpose of concluding a Treaty of Peace, that is to say :

His Majesty the Emperor of Japan, Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paulownia, Minister President of State, and Viscount Mutsu Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs ;

And His Majesty the Emperor of China, Li Hung-Chang, Senior Tutor to the Heir-Apparent, Senior Grand Secretary of State, Minister Superintendent of Trade for the Northern Ports of China, Viceroy of the Province of Chihli and Earl of the First Rank, and Li Ching-Fong, Ex-Minister of the Diplomatic Service, of the Second Official Rank ;

Who, after having exchanged their Full Powers, which were found to be in good and proper form, have agreed to the following Articles :—

ARTICLE I.

China recognizes definitively the full and complete independence and autonomy of Corea, and in consequence, the payment of tribute and the performance of ceremonies and formalities by Corea to China in derogation of such independence and autonomy, shall wholly cease for the future. (385)

ARTICLE II.

China cedes to Japan in perpetuity and full sovereignty the following territories together with all fortifications, arsenals and public property thereon :

a)—The southern portion of the Province of Fêng-Tien within the following boundaries :

The line of demarcation begins at the mouth of the River Yalu and ascends that stream to the mouth of the River An-ping ; from thence the line runs to Fêng-Huang ; from thence to Hai-Cheng, from thence to Ying-Kow, forming a line which describes the southern portion of the territory. The places above named are included in the ceded territory. When the line reaches the River Liao at Ying-Kow it follows the course of that stream to its mouth where it terminates. The mid-channel of the River Liao shall be taken as the line of demarcation.

This cession also includes all Islands appertaining or belonging to the Province of Fêng-Tien situated in the eastern portion of the Bay of Liao-Tung and in the northern part of the Yellow Sea.

b)—The Island of Formosa together with all Islands appertaining or belonging to the said Island of Formosa.

c)—The Pescadores Group, that is to say, all Islands lying between the 119th and 120th degrees of longitude east of Greenwich and the 23rd and 24th degrees of north latitude. (385)

ARTICLE III.

The alignments of the frontiers described in the preceding Article and shown on the annexed Map shall be subject to verification and demarcation on the spot, by a Joint Commission of Delimitation, consisting of two or more Japanese and two or more Chinese Delegates to be appointed immediately after the exchange of the ratifications of this Act. In case the boundaries laid down in this Act are found to be defective at any point, either on account of topography or in consideration of good administration, it shall also be the duty of the Delimitation Commission to rectify the same.

The Delimitation commision will enter upon its duties as soon as possible and will bring its labors to a conclusion within the period of one year after appointment.

The alignments laid down in this Act shall, however, be maintained until the rectifications of the Delimitation Commission, if any are made, shall have received the approval of the Governments of Japan and China. (386)

ARTICLE IV.

China agrees to pay to Japan as a war indemnity the sum of 200,000,000 Kuping Taels. The said sum to be paid in eight instalments. The first instalment of 50,000,000 taels, to be paid within six months, and the second instalment of 50,000,000 taels to be paid within twelve months, after the exchange of the ratifications of this Act. The remaining sum to be paid in six equal annual instalments as follows : The first of such equal annual instalments to be paid within two years ; the second within three years ; the third within four years ; the fourth within five years ; the fifth within six years, and the sixth within seven years, after the exchange of the ratifications of this Act. Interest at the rate of 5 per centum per annum shall begin to run on all unpaid portions of the said indemnity from the date the first instalment falls due.

China shall, however, have the right to pay by anticipation at any

time any or all of said instalments. In case the whole amount of the said indemnity is paid within three years after the exchange of the ratifications of the present Act, all interest shall be waived and the interest for two years and a half or for any less period, if then already paid, shall be included as a part of the principal amount of the indemnity. (386)

ARTICLE V.

The inhabitants of the territories ceded to Japan, who wish to take up their residence outside the ceded districts, shall be at liberty to sell their real property and retire. For this purpose a period of two years from the date of the exchange of the ratifications of the present Act shall be granted. At the expiration of that period those of the inhabitants who shall not have left such territories shall, at the option of Japan, be deemed to be Japanese subjects.

Each of the two Governments shall immediately, upon the exchange of the ratifications of the present Act, send one or more Commissioners to Formosa to effect a final transfer of that Province, and, within the space of two months after the exchange of the ratifications of this Act, such transfer shall be completed. (388)

ARTICLE VI.

All Treaties between Japan and China having come to an end in consequence of war, China engages, immediately upon the exchange of the ratifications of this Act, to appoint Plenipotentiaries to conclude with the Japanese Plenipotentiaries a Treaty of Commerce and Navigation and a Convention to regulate Frontier Intercourse and Trade. The Treaties, Conventions and Regulations now subsisting between China and European Powers shall serve as a basis for the said Treaty and Convention between Japan and China. From the date of the exchange of the ratifications of this Act until the said Treaty and Convention are brought into actual operation, the Japanese Government; its officials; commerce; navigation; frontier intercourse and trade; industries; ships and subjects, shall, in every respect, be accorded by China most favored nation treatment.

China makes in addition the following concessions, to take effect six months after the date of the present Act:

1st—The following cities, towns and ports, in addition to those already

opened, shall be opened to the trade, residence, industries and manufactures of Japanese subjects under the same conditions and with the same privileges and facilities as exist at the present open cities, towns and ports of China:

1.—Shashih in the Province of Hupeh.

2.—Chung-King in the Province of Szechuan.

3.—Suchow in the Province of Kiang-Su.

4.—Hangchow in the Province of Chekiang.

The Japanese Government shall have the right to station Consuls at any or all of the above-named places.

2nd.—Steam navigation for vessels under the Japanese flag for the conveyance of passengers and cargo shall be extended to the following places:

1.—On the Upper Yangtsze River, from Ichang to Chung-King.

2.—On the Woosung River and the Canal, from Shanghai to Suchow and Hangchow.

The Rules and Regulations which now govern the navigation of the inland waters of China by foreign vessels, shall, so far as applicable, be enforced in respect of the above-named routes, until new Rules and Regulations are conjointly agreed to.

3rd.—Japanese subjects purchasing goods or produce in the interior of China or transporting imported merchandise into the interior of China shall have the right temporarily to rent or hire warehouses for the storage of the articles so purchased or tronsported, without the payment of any taxes or exactions whatever.

4th.—Japanese subjects shall be free to engage in all kinds of manufacturing industries in all the open cities, towns and ports of China and shall be at liberty to import into China all kinds of machinery, paying only the stipulated import duties thereon.

All articles manufactured by Japanese subjects in China, shall, in respect of inland transit and internal taxes, duties, charges and exactions of all kinds and also in respect of warehousing and storage facilities in the interior of China, stand upon the same footing and enjoy the same privileges and exemptions as merchandise imported by Japanese subjects into China.

In the event additional Rules and Regulations are necessary in connection with these concessions, they shall be embodied in the Treaty of Commerce and Navigation provided for by this Article. (388)

ARTICLE VII.

Subjects to the provisions of the next succeeding Article, the evacuation of China by the armies of Japan shall be completely effected within three months after the exchange of the ratifications of the present Act. (391)

ARTICLE VIII.

As a guarantee of the faithful performance of the stipulations of this Act, China consents to the temporary occupation by the military forces of Japan of Wei-hai-wei in the Province of Shantung.

Upon the payment of the first two instalments of the war indemnity herein stipulated for and the exchange of the ratifications of the Treaty of Commerce and Navigation, the said place shall be evacuated by the Japanese forces, provided the Chinese Government consents to pledge, under suitable and sufficient arrangements, the Customs Revenue of China as security for the payment of the principal and interest of the remaining instalments of said indemnity. In the event no such arrangements are concluded, such evacuation shall only take place upon the payment of the final instalment of said indemniny.

It is, however, expressly understood that no such evacuation shall take place until after the exchange of the ratifications of the Treaty of Commerce and Navigation. (391)

ARTICLE IX.

Immediately upon the exchange of the ratifications ot this Act, all prisoners of war then held shall be restored and China undertakes not to ill-treat or punish prisoners of war so restored to her by Japan. China also engages to at once release all Japanese subjects accused of being military spies or charged with any other military offences. China further engages not to punish in any manner nor to allow to be punished those Chinese subjects who have in any manner been compromised in their relations with the Japanese army during the war. (392)

ARTICLE X.

All offensive military operations shall cease upon the exchange of the ratifications of this Act. (393)

ARTICLE XI.

The present Act shall be ratified by Their Majesties the Emperor of Japan and the Emperor of China, and the ratifications shall be exchanged at Cheefoo, on the 8th day of the 5th month of the 28th year of Meiji, corresponding to the 14th day of the 4th month of the 21st year of Kuang Hsü. (393)

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Shimonoseki, in duplicate, this 17th day of the 4th month of the 28th year of Meiji, corresponding to the 23rd day of the 3rd month of the 21st year of Kuang Hsü.

[L. S.] COUNT ITO HIROBUMI,

Junii, Grand Cross of the Imperial Order of Paulownia, Minister President of State, Plenipotentiary of His Majesty the Emperor of Japan.

[L. S.] VISCOUNT MUTSU MUNEMITSU,

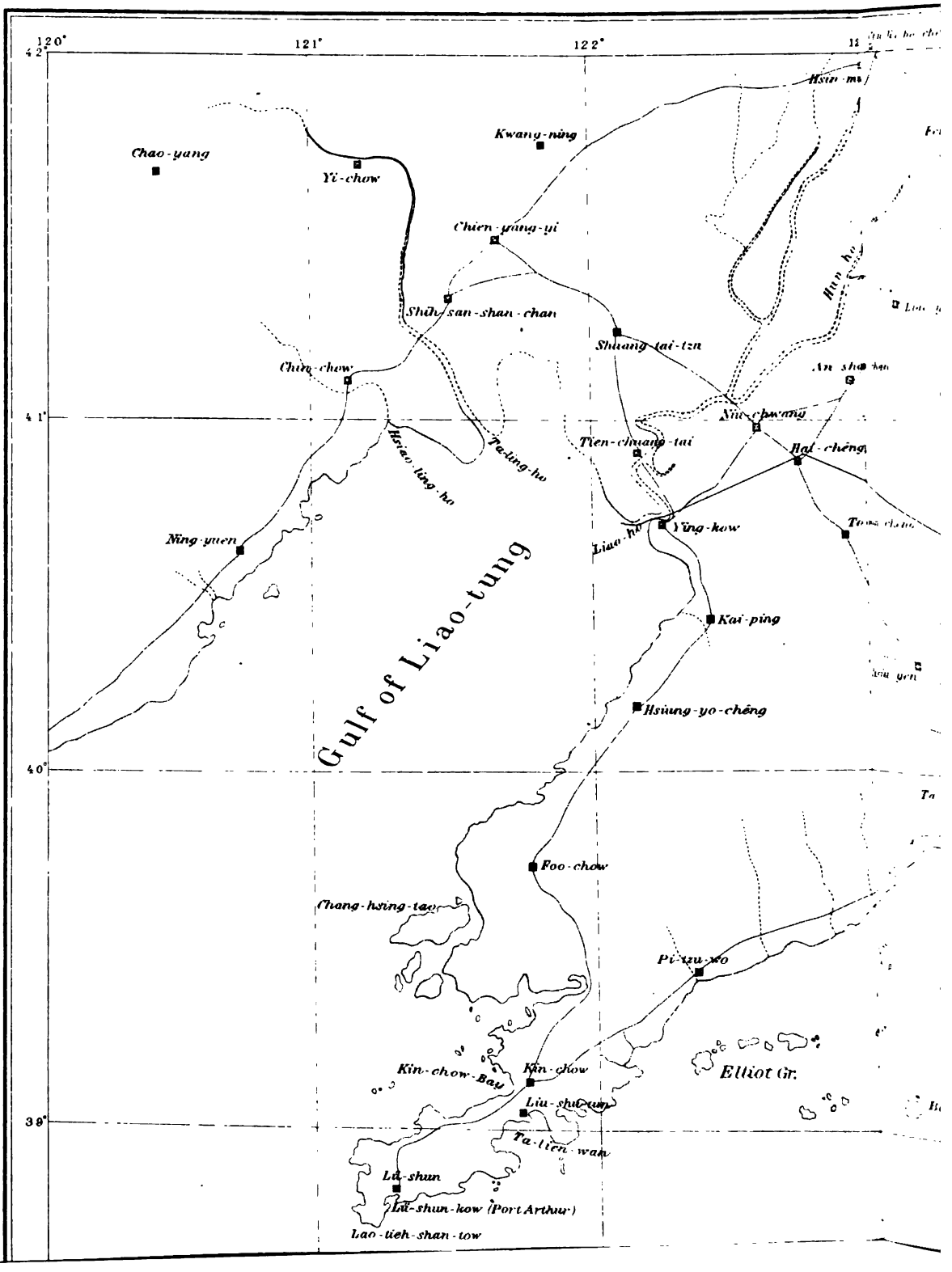
Juhii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs, Plenipotentiary ot His Majesty the Emperor of Japan.

[L. S.] LI HUNG-CHANG,

Plenipotentiary of His Majesty the Emperor of China, Senior Tutor to the Heir-Apparent, Senior Grand Secretary of State, Minister Superintendent of Trade for the Northern Ports of China, Viceroy of the Province of Chihli and Earl of the First Rank.

LI CHING-FONG,

Plenipotentiary of His Majesty the Emperor of China, Ex-Minister of the Diplomatic Service, of the Second Official Rank.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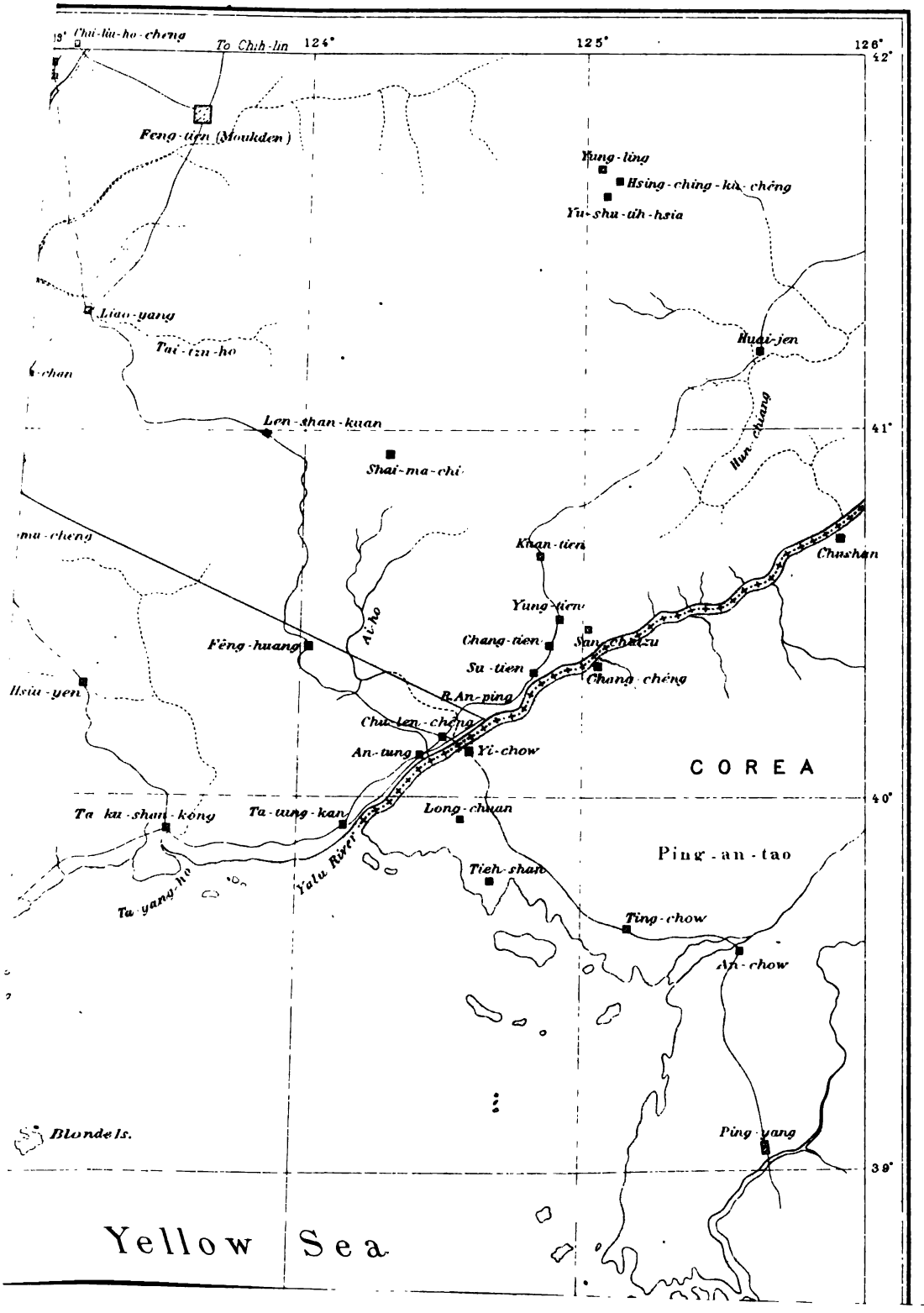
Yi-chow
Kwang-ning
Chien-yang-yi
Shih-san-shan-chan
Shuang-tai-tzu
Chin-chow
Hsiao-ling-ho
Ta-ling-ho
Tien-chuang-tai
An-chwang
Hai-cheng
Ying-kow
Liao-ho
Ning-yuen
Kai-ping
Hsiung-yo-cheng
Gulf of Liao-tung
Foo-chow
Chang-hsing-tao
Pi-tzu-wo
Elliot Gr.
Kin-chow-Bay
Kin-chow
Liu-shu-tun
Ta-lien-wan
Lu-shun
Lu-shun-kow (Port Arthur)
Lao-tieh-shan-tow


Chai-liu-ho-cheng
To Chih-lin
124°
125°
126°
42°
Feng-tien (Moukden)
Yung-ling
Hsing-ching-ku-cheng
Yu-shu-tih-hsia
Liao-yang
Tai-tzu-ho
Hsi-chan
Hun-chang
Len-shan-kuan
41°
Shai-ma-chi
Khan-tien
Chushan
Yung-tien
Feng-huang
Ai-ho
Chang-tien
San-Chai-tzu
Su-tien
Chang-cheng
Hsiu-yen
R. An-ping
Chiu-len-cheng
An-tung
Yi-chow
COREA
40°
Ta-ku-shan-kong
Ta-tung-kau
Long-chuan
Ping-an-tao
Yalu River
Tieh-shan
Ta-yang-ho
Ting-chow
An-chow
Blonde Is.
Ping-yang
39°
Yellow Sea

PROTOCOLE FINAL.

Signé à Pékin le 7 septembre 1901 ; *Promulgué le* 28e *jour du* 10e *mois de la* 34e *année de Meiji* (1901)

Les Plénipotentiaires

d'Allemagne : Son Excellence M. A. MUMM VON SCHWARZENSTEIN ;

d'Autriche-Hongrie :

Son Excellence le BARON M. CZIKANN VON WAHLBORN ;

de Belgique : Son Excellence M. JOOSTENS ;

d'Espagne : Son Excellence M. B. J. DE COLOGAN ;

des Etats-Unis d'Amérique :

Son Excellence M. W. W. ROCKHILL ;

de France : Son Excellence M. PAUL BEAU ;

de Grande-Bretagne :

Son Excellence SIR ERNEST SATOW ;

d'Italie : Son Excellence le MARQUIS SALVAGO-RAGGI ;

du Japon : Son Excellence M. JUTARO KOMURA ;

des Pays-Bas : Son Excellence M. F. M. KNOBEL ;

de Russie : Son Excellence M. M. DE GIERS ;

Et de Chine : Son Altesse Yi-K'ouang, Prince du premier rang K'ingl, Président du Ministère des Affaires Etrangères ;

Et

Son Excellence Li Hong-Tchang, Comte du premier rang Sou-Yi, Tuteur de l'Héritier Présomptif, Grand Secrétaire du Wen-Houa-Tien, Ministre du Commerce, Surintendant des ports du Nord, Gouverneur Général du Tcheli ;

se sont réunis pour constater que la Chine s'est conformée, à la satisfaction des Puissances, aux conditions énumérées dans la Note du 22 décembre 1900 et qui ont été acceptées, dans leur entier, par Sa Majesté l'Empereur de Chine, par un décret en date du 27 décembre 1900 (*Annexe No. 1*).

Art. I (*a*). Par un Edit Impérial du 9 juin dernier (*Annexe No. 2*), Tsai-Feng, Prince du Premier Rang Tch'Oun, a été nommé Ambassadeur de Sa Majesté l'Empereur de Chine et a été chargé, en cette qualité de porter à Sa Majesté l'Empereur d'Allemagne l'expression des regrets de Sa Majesté l'Empereur de Chine et du Gouvèrnement Chinois, au sujet de l'assassinat de feu Son Excellence le Baron von Ketteler, Ministre d'Allemagne.

Le Prince Tch'Oun a quitté Pékin le 12 juillet dernier pour exécuter les ordres qui lui ont été donnés. (397)

Art. I (*b*). Le Gouvernement Chinois a déclaré qu'il érigera sur le lieu de l'assassinat de feu Son Excellence le Baron von Ketteler un monument commémoratif, digne du rang du défunt, et portant une inscription en langues latine, allemande et chinoise, qui exprimera les regrets de Sa Majesté l'Empereur de Chine à propos du meurtre commis.

Leurs Excellence les Plénipotentiaires Chinois ont fait savoir à Son Excellence le Plénipotentiaire d'Allemagne, par une lettre en date du 22 juillet dernier (*Annexe No. 3*), qu'un portique de toute la largeur de la rue est érigé sur ledit lieu et que les travaux ont commencé le 25 juin dernier. (398)

Art. II (*a*) Des Edits Impériaux en date des 13 et 21 février 1901 (*Annexes Nos. 4, 5 et 6*), ont infligé les peines suivantes aux principaux auteurs des attentats et des crimes commis contre les Gouvernements Etrangers et leurs nationaux :

Tsai-Yi, Prince Touan, et Tsai-Lan, Duc Fou-Kouo, ont été traduits, pour être exécutés, devant la Cour d'assises d'Automne et il a été stipulé que si l'Empereur croit devoir leur faire grâce de la vie, ils seront exilés au Turkestan et y seront emprisonnés à perpétuité sans que cette peine puisse jamais être commuée.

Tsai-Hiun, Prince Tchouang, Ying-Nien, Président de la Cour des Censeurs, et Tchao Chou-Kiao, Président au Ministère de la Justice, ont été condamnés à se donner la mort.

Yu-Hien Gouverneur du Chan-Si, K'i-Sieou, Président au Ministére des Rites, et Siu Tch'Eng-Yu, précédement Directeur de gauche au Ministère de la Justice,

ont été condamnés à la peine de mort. La dégradation posthume a été prononcée contre Kang-Yi, Sous-Grand Secrétaire d'Etat, Président au Ministère de l'Intérieur, Siu-T'Ong, Grand Secrétaire d'Etat et Li Ping-Heng, ancien Gouverneur Général du Sze-Tch'ouan.

Un Edit Impérial du 13 février 1901 (*Annexe No. 7*) a réhabilité la mémoire de Siu Yong-Yi, Président au Ministère de la Guerre, Li-Chan, Président au Ministère des Finances, Hiu-King-Tch'Eng, Directeur de gauche au Ministère de l'Intérieur, Lien-Yuan, Vice-Chancelier au Grand Secrétariat et Yuan-Tch'Ang, Directeur à la Cour des Sacrifices, qui avaient été mis à mort pour avoir protesté contre les abominables violations du droit international, commises au cours de l'année dernière.

Le Prince Tchouang s'est donné la mort le 21 février 1901, Ying-Nien et Tchao Chou-Kiao le 24; Yu-Hien a été exécuté le 22, enfin K'i-Sieou et Siu Tch'Eng-Yu, le 26.

Tong Fou-Siang, Général au Kan-Sou, a été privé de ses fonctions par Edit Impérial du 13 février, en attendant qu'il soit statué sur la peine définitive à lui infliger.

Des Edits Impériaux des 29 avril et 19 août 1901 ont infligé des peines graduelles aux fonctionnaires des provinces, reconnus coupables des crimes et attentats commis au cours de l'été dernier. (398)

Art. II (*b*). Un Edit Impérial, promulgué le 19 août 1901 (*Annexe No. 8*), a ordonné la suspension des examens officiels pendant cinq ans dans toutes les villes où des étrangers ont été massacrés ou ont subi des traitements cruels. (400)

Art. III.—Afin d'accorder une réparation honorable pour l'assassinat de feu M. Sougiyama, Chancelier de la Légation du Japon, Sa Majesté l'Empereur de Chine a, par un Edit Impérial du 18 juin 1901 (*Annexe No. 9*), désigné le Vice-Président au Ministère des Finances, Na-T'Ong, comme Envoyé Extraordinaire, et l'a chargé spécialement de porter à Sa Majesté l'Empereur du Japon l'expression des regrets de Sa Majesté l'Empereur de Chine et de son Gouvernement au sujet de l'assassinat de feu M. Sougiyama. (400)

Art. IV.—Le Gouvernement Chinois s'est engagé à ériger un monument expiatoire dans chacun des cimetières étrangers ou internationaux qui ont été profanés et dont les tombes ont été détruites.

D'accord avec les Représentants des Puissances, il a été convenu que les Légations intéressées donneront les indications pour l'érection de ces monuments,

à charge par la Chine d'en couvrir tous les frais, évalués à dix mille taels pour les cimetières de Pékin et des environs, à cinq mille taels pour les cimetières des provinces. Ces sommes ont été versées, et la liste de ces cimetières est ci-jointe (*Annexe No. 10*). (401)

Art. V.—La Chine a accepté de prohiber sur son territoire l'importation des armes et des munitions, ainsi que du matériel destiné exclusivement à la fabrication des armes et des munitions.

Un Edit Impérial a été rendu le 25 août 1901 (*Annexe No. 11*) pour interdire cette importation pendant une durée de deux années.

De nouveaux Edits pourront être rendus par la suite pour proroger ce terme de deux ans en deux ans, dans le cas de nécessité reconnue par les Puissances. (402)

Art. VI.—Par un Edit Impérial en date du 29 mai 1901 (*Annexe No. 12*) Sa Majesté l'Empereur de Chine s'est engagé à payer aux Puissances une indemnité de quatre cent cinquante millions de Hai Kouan taels. Cette somme représente le total des indemnités pour les Etats, les sociétés, les particuliers et les Chinois visés à l'Articie IV de la Note du 22 décembre 1900.

(*a*) Ces quatre cent cinquant millions constituent une dette en or, calculée aux cours du Hai Kouan tael par rapport à la monnaie d'or de chaque pays, tels qu'ils sont indiqués ci-après :

Un Hai Kouan tael

=Marks :	3.055
=Couronnes austro-hongroises : .	3.595
=Dollar or :	0.742
=Francs :	3.750
=Livre Sterling	0. sh. 3. p. 0.
=Yen :	1.407
=Florin néerlandais ; . . .	1.796
=Rouble or :	1.412 (au titre de dolias 17,424).

Cette somme en or sera productive d'intérêts à quatre pour cent l'an, et le capital en sera remboursé par la Chine en trente neuf années, dans les conditions indiquées au plan d'amortissement ci-joint (*Annexe No. 13*).

Le capital et les intérêts seront payables en or ou au taux de change correspondant aux dates des diverses échéances. Le fonctionnement de l'amortissement commencera le 1er janvier 1902 pour finir à l'expiration de l'année

1940. Les amortissements seront payables annuellement, la première échéance étant fixée au 1er janvier 1903. Les intérêts seront comptés à partir du 1er juillet 1901, mais le Gouvernement Chinois aura la faculté de se libérer, dans un délai de trois ans, commençant le 1er janvier 1902, des arrérages du premier semestre finissant le 31 décembre 1901, à la condition toutefois de payer des intérêts composés à quatre pour cent l'an sur les sommes dont le versement aura ainsi été différé.

Les intérêts seront payables semestriellement, la première échéance étant fixée au 1er juillet 1902.

(*b*) Le service de la dette sera effectué à Shanghai et de la maniére suivante :

Chaque Puissance se fera représenter par un délégué dans une Commission de banquiers qui sera chargée d'encaisser le montant des intérêts et des amortissements qui lui sera versé par des autorités chinoises désignées à cet effet, de le répartir entre les intéressés et d'en donner quittance.

(*c*) Le Gouvernement Chinois remettra au Doyen du Corps Diplomatique à Pékin, un bon global qui sera transformé ultérieurement en coupures revêtues de la signature des délégués du Gouvernement Chinois désignés à cet effet. Cette opération et toute celles se rapportant à l'établissement des titres seront effectuées par la Commission précitée conformément aux instructions que les Puissances enverront à leurs délégués.

(*d*) Le produit des ressources affectées au paiement des bons sera versé mensuellemeut entre les mains de la Commission.

(*e*) Les ressources affectées à la garantie des bons sont énumérées ci-aprés :

1° Le reliquat des revenus de la Douane Maritime Impériale après paiement de l'intérêt et de l'amortissement des emprunts antérieurs gagés sur ces revenus, augmentés du produit de l'élévation à cinq pour cent effectifs du tarif actuel sur les importations maritimes, y compris les articles qui jusq'à présent entraient en franchise, à l'exception du riz, des céréales et des farines de provenance étrangère, ainsi que de l'or et de l'argent monnayés ou non monnayés.

2° Les revenus des Douanes indigènes administrées, dans les ports ouverts, par la Douane maritime Impériale.

3° L'ensemble des revenus de la gabelle, sous réserve de la fraction affectée précédemment à d'autres emprunts étrangers.

L'élévation du tarif actuel sur les importations à cinq pour cent effectifs est consentie aux conditions ci-après.

La mise en vigueur de cette élévation commencera deux mois après la date de la signature du présent protocole, et il ne sera fait d'exception que pour les marchandises en cours de route, au plus tard dix jours après cette date.

1° Tous les droits sur les importations perçus *ad valorem* seront convertis en droits spécifiques, autant qu'il sera possible de le faire, et dans le plus bref délai.

Cette conversion sera établie comme suit :

On prendra comme base d'évaluation la valeur moyenne des marchandises au moment de leur débarquement, pendant les trois années 1897, 1898, et 1899, c'est-à-dire la valeur de marché, déduction faite du montant des droits d'entrée et des frais accessoires.

En attendant le résultat de cette conversion, les droits seront perçus *ad valorem*.

2° Le cours du Pei-ho et celui du Whangpou seront améliorés avec la participation financière de la Chine. (402)

Art. VII.—Le Gouvernement Chinois a accepté que le quartier occupé par les Légations fût considéré comme un quartier spécialement réservé à leur usage et placé sous leur police exclusive, où les Chinois n'auraient pas le droit de résider, et qui pourrait être mis en état de défense.

Les limites de ce quartier ont été ainsi fixées sur le plan ci-joint (*Annexe No. 14*).

A l'ouest, la ligne 1, 2, 3, 4, 5 ;

Au nord, la ligne 5, 6, 7, 8, 9, 10 ;

A l'est, la rue Ketteler : 10, 11, 12 ;

Au sud, la ligne 12, 1, tirée le long du pied extérieur de la muraille tartare en suivant les bastions.

Par le protocole annexé à la lettre du 16 janvier 1901, la Chine a reconnu à chaque Puissance le droit d'entretenir une garde permanente dans ledit quartier pour la défense de sa Légation. (407)

Art. VIII.—Le Gouvernement Chinois a consenti à faire raser les forts de Takou et ceux qui pourraient empêcher ces libres communications entre Pékin et la mer.

Des dispositions ont été prises à cet effet. (407)

Art. IX.—Le Gouvernement Chinois a reconnu aux Puissances, par le protocole annexé à la lettre du 16 janvier 1901, le droit d'occuper certains points, à déterminer par un accord entre Elles, pour maintenir les communications libres entre la capitale et la mer.

Les points occupés par les Puissances sont : Houang-ts'oun, Lang-fang, Yang-ts'oun, Tien-tsin, Kiun-léang-tchang, T'ang-kou, Lou-tai, T'ang-chan, Louan-tchéou, Tchang-li, Ts'in-wang-tao, Chanhai-Kouan. (408)

Art. X.—Le Gouvernement Chinois s'est engagé à afficher et à publier pendant deux ans dans toutes les villes de district les Edits Impériaux suivants :

(*a*) Edit du 1er février 1901 (*Annexe No. 15*) portant défense perpétuelle sous peine de mort, de faire partie d'une société anti-étrangère ;

(*b*) Edits des 13 et 21 février, 29 avril et 19 août 1901 contenant l'énumération des peines qui ont été infligées aux coupables ;

(*c*) Edit du 19 août 1901 supprimant les examens dans toutes les villes où des étrangers ont été massacrés ou ont subi des traitements cruels ;

(*d*) Edit du 1er février 1901 (*Annexe No. 16*) déclarant que tous les Gouverneurs généraux, Gouverneurs et fonctionnaires provinciaux ou locaux, sont responsables de l'ordre dans leurs circonscriptions et, qu'en cas de nouveaux troubles anti-étrangers ou encore d'autres infractions aux traités qui n'auraient pas été immédiatement réprimées, et dont les coupables n'auraient pas été punis, ces fonctionnaires seront immédiatement révoqués sans pouvoir être appelés à de nouvelles fonctions ni recevoir de nouveaux honneurs.

L'affichage de ces Edits se poursuit progressivement dans tout l'Empire. (408)

Art. XI.—Le Gouvernement Chinois s'est engagé à négocier les amendements jugés utiles par les Gouvernements Etrangers aux traités de commerce et de navigation, et les autres sujets touchant aux relations commerciales dans le but de les faciliter.

Dès maintenant et par suite des stipulations inscrites à l'article VI au sujet de l'indemnité, le Gouvernement Chinois s'engage à concourir à l'amélioration du cours des rivières Peiho et Whangpou comme il est dit ci-dessous :

(*a*) Les travaux d'amélioration de la navigabilité du Peiho, commencés en 1898 avec la coopération du Gouvernement Chinois, ont été repris sous la direction d'une Commission internationale.

Aussitôt après que l'administration de Tien-tsin aura été remise au

Gouvernement Chinois, celui-ci pourra se faire représenter dans cette Commission, et versera chaque année une somme de soixante mille Hai Kouan taels pour l'entretien des travaux.

(*b*) Il est créé un Conseil fluvial chargé de la direction et du contrôle des travaux de rectification du Whangpou et d'amélioration du cours de cette rivière.

Ce Conseil est composé de membres rerpésentant les intérêts du Gouvernement Chinois et ceux des étrangers dans le commerce maritime de Shanghai.

Les frais nécessités par les travaux et l'administration générale de l'entreprise sont évalués à la somme annuelle de quatre cent soixante mille Hai Kouan taels pendant les vingt premières anneés.

Cette somme sera fournie par moitiés par le Gouvernement Chinois et par les intéressés étrangers.

Le détail des stipulations se rapportant à la composition, aux attributions et aux revenus du Conseil fluvial, fait l'objet de l'*Annexe No. 17.* (409)

Art. XII.—Un Edit Impérial du 24 juillet 1901 (*Annexe No. 18*), a réformé l'Office des Affaires Etrangères (Tsong-li-yamen) dans le sens indiqué par les Puissances, c'est-à-dire l'a transformé en un Ministère des Affaires Etrangères (Wai-wou-pou) qui prend rang avant les six autres Ministères d'Etat.

Le même Edit a nommé les principaux membres de ce Ministère.

Un accord s'est établi également au sujet de la modification du cérémonial de Cour relatif à la réception des Représentants Etrangers, et a fait l'objet de plusieurs notes des Plénipotentiaires Chinois, résumées dans un mémorandum ci-joint (*Annexe No.* 19.)

Enfin, il est expressément entendu que, pour les déclarations sus-énonsées et les documents annexés émanant des Plénipotentiaires Etrangers, le texte français fait seul foi.

Le Gouvernement Chinois s'étant ainsi conformé, à la satisfaction des Puissances, aux conditions énumérées dans la Note précitée du 22 décembre 1900, les Puissances ont accédé au désir de la Chine de voir cesser la situation créée par les désordres de l'été 1900.

En conséquence les Plénipotentiaires Etrangers sont autorisés à déclarer au nom de leurs Gouverenments que, à l'exception des gardes des Légations mentionnées à l'article VII, les troupes internationales évacueront complètement la ville de Pékin le 17 septembre 1901 et, à l'exception des endroits mentionnés

à l'article IX, se retireront de la province du Tcheli le 22 septembre 1901.

Le présent Protocole final a été établi en douze exemplaires identiques et signés par tous les Plénipotentiaires des Pays Contractants. Un exemplaire sera remis à chacun des Plénipotentiaires Etrangers et un exemplaire sera remis aux Plénipotentiaires Chinois. (411)

Pékin, le 7 septembre 1901.

(Signé.) A. von MUMM.
(„) M. CZIKANN.
(„) JOOSTENS.
(„) B. J. DE COLOGAN.
(„) W. W. ROCKHILL.
(„) BEAU.
(„) ERNEST SATOW
(„) SALVAGO RAGGI.
(„) JUTARO KOMURA.
(„) F. M. KNOBEL.
(„) M. DE GIERS.

(„) YI-K'OUANG.
(„) LI HONG-TCHANG.

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXES AU PROTOCOLE FINAL.

TEXTES FRANÇAIS.

Nos 1. Edit Impérial du 27 décembre 1900. (*Traduction*).
2. Edit Impérial du 9 juin 1901. (*Traduction*).
3. Lettre des Plénipotentiaires Chinois du 22 Juillet 1901. (*Traduction*).
4. Edit Impérial du 13 février 1901. (*Traduction*).
5. Edit Impérial du 13 février 1901. (*Traduction*).
6. Edit Impérial du 21 février 1901. (*Traduction*).
7. Edit Impérial du 13 février 1901. (*Traduction*).
8. Edit Impérial du 19 août 1901. (*Traduction*).
9. Edit Impérial du 18 juin 1901. (*Traduction*).
10. Liste des Cimetières profanés.
11. Edit Impérial du 25 août 1901. (*Traduction*).
12. Edit Impérial du 29 mai 1901. (*Traduction*).
13. Tableau d'amortissement.
14. Plan du Quartier diplomatique et Notice.
15. Edit Impérial du 1er février 1901. (*Traduction*).
16. Edit Impérial du 1erfévrier 1901. (*Traduction*).
17. Règlement pour l'amélioration du Whangpou.
18. Edit Impérial du 24 juillet 1901. (*Traduction*).
19. Mémorandum relatif au cérémonial de Cour.

ANNEXE No. 1.

Edit Impérial du 27 Décembre 1900. (*Traduction*).

(Sceau de l'Empereur).

Le 6e Jour de la 11e lune de la 26e année de Kouang-Siu (27 Décembre 1900), l'édit suivant a été rendu :

" Nous avons pris connaissance de tout le télégramme de Yi-K'ouang et " de Li Hong-Tchang. Il convient que Nous acceptions dans leur entier les " douze articles qu'ils Nous ont soumis."

" Respect à ceci ! "

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 2.

Edit Impérial du 9 Juin 1901. (*Traduction*).

" Nous conférons à Tsai-Feng, Prince du premier rang, Tch'oun, le titre " d'Ambassadeur extraordinaire et le chargeons de se rendre en Allemagne pour " s'acquitter respectueusement de la mission que Nous lui confions.

" Tchang Yi, Lecteur à la Grande Chancellerie, et Yiu-Tch'ang, Lieutenant- " Gouverneur militaire, l'accompagneront en qualité de secrétaires.

" Respect à ceci ! "

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 3.

Dépêche du Prince K'ing et de Li Hong-Tchang, du 22 juillet 1901
à Son Excellence M. de Mumm, Plénipotentiaire d'Allemagne. (*Traduction*).
Réponse officielle :

Le 3e jour de la 5e lune de la présente année, (le 18 juin 1901), Nous avons reçu de Votre Excellence la communication officielle ci-après :

" Messieurs Jouei-léang, secrétaire, et Lien-Fang, taotai en expectative, " délégués chargés de l'exécution de l'article 1 de la Note Collective stipulant " l'érection d'un monument commémoratif sur le lieu de l'assassinat du Baron " von Ketteler, ci-devant Ministre d'Allemagne, sont entrés il y a quelque " temps en pourparlers avec ma Légation, et ont abordé la question du mode " d'exécution de ce monument.

" Au cours de nombreux entretiens, ils ont déclaré que si l'on tenait à ce " qu'un portique commémoratif en marbre de Ta-Li et s'étendant sur toute la " largeur de l'avenue de Tch'ong-Wen-Men, fut érigé sur le lieu de l'assassinat, " le travail serait très long, en raison des difficultés de transport des matéri- " aux ; mais que, pour ce qui était de trouver quelque autre moyen consistant " soit à transférer sur le lieu de l'assassinat un portique placé actuellement " ailleurs, soit à dresser un portique neuf, soit à faire usage d'un portique " ancien que l'on transporterait, ils s'en remettaient à la décision de mon " Gouvernement.

" J'ai aussitôt demandé par le télégraphe à mon Gouvernement de me " faire connaître ses vues.

" La réponse qui vient de me parvenir me fait savoir que Sa Majesté " l'Empereur d'Allemagne a décidé lui-même qu'il devait être érigé un portique " neuf tenant toute la largeur de la rue.

" Je dois en conséquence vous prier instamment de prendre de promptes " mesures pour que les travaux puissent commencer immédiatement."

Nous, Prince et Ministre, avons aussitôt prescrit auxdits secrétaire et taotai d'agir de conformité. Suivant le rapport qu'ils nous ont adressé, " les " travaux ont été commencés le 10e jour de la 5e lune (25 juin) par les fond- " ations. Mais un certain temps est nécessaire pour l'extraction des pierres, leur " taille et le transport des matériaux ; et on ne peut que veiller à ce que les " ouvriers fassent tous leurs efforts pour mener activement le travail."

Outre que Nous avons prescrit de Nous tenir au courant de l'achèvement des travaux, Nous croyons devoir adresser la présente réponse officielle à Votre Excellence en La priant d'en prendre note.

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 4.

Edit Impérial du 13 Février 1901. (*Traduction*).

Depuis la 5e lune (fin mai), les Boxeurs ont soulevé des troubles dans la Capitale, et ont ouvert les hostilités contre des pays amis. Yi-K'ouang et Li Hong-Tchang négocient la paix à Pékin avec les Représentants des Puissances et tout un arrangement préliminaire a déjà été signé.

(Si) nous Nous reportons au début de ces événements, (nous trouvons qu'ils sont dûs) à plusieurs Princes et Ministres stupides, fous, complètement ignorants, turbulents, qui ont foulé aux pieds les lois. Ils ont eu la plus grande confiance dans des moyens pervers et ont entraîné la Cour. Non seulement ils ont refusé d'obéir à Nos ordres pour anéantir les Boxeurs, mais ils ont été jusqu'à les croire et, sottement, ils se sont mis à attaquer (les Légations). Aussi ce mauvais feu prit une grande extension et les circonstances ne permirent pas de l'arrêter, plusieurs dizaines de millions de malfaiteurs s'étant rassemblés au bas du coude et de l'aisselle (c'est-à-dire un point très important). De plus les meneurs forcèrent des généraux et des soldats ignorants à attaquer les Légations, et c'est ainsi que des maux incroyables ont sévi durant plusieurs mois.

Les dieux tutélaires de l'Empire ont été en danger, les tombes Impériales et les temples des Ancêtres ont tremblé, le pays a été dévasté, les habitants sont plongés dans la misère. Aucune parole ne saurait exprimer les dangers que Nous et S. M. l'Impératrice Douairière avons courus. Notre cœur et notre tête en souffrent encore maintenant ; nos pleurs et nos ressentiments se confondent. C'est vous, Prince et Ministres, qui en ajoutant foi aux paroles perverses et en laissant agir les malfaiteurs, avez mis en danger, au Ciel, nos ancêtres et nos dieux et qui, ici-bas, avez fait endurer au peuple ces calamités. Demandez-vous quel est le châtiment que vous méritez ?

Nous avons déjà rendu deux décrets. Mais comprenant que des peines si légères pour des fautes si grandes ne pouvaient suffire à vous faire expier vos crimes, Nous devons vous infliger de nouveaux châtiments plus sévères, selon votre degré de culpabilité.

Tsai-Hiun, Prince Tchouang, déjà dégradé, a laissé les Boxeurs attaquer les Légations. Il a, de sa propre autorité, publié des proclamations contraires

aux traités ; il a ajouté foi légèrement aux dires des malfaiteurs ; il a fait décapiter illégalement un grand nombre de personnes ; il s'est montré, en vérité, grossier, et inintelligent. Nous l'invitons, par faveur, à se suicider, Nous chargeons Ko pao-houa, président par intérim de la Cour des Censeurs, d'aller constater (le suicide).

Tsai-Yi, Prince Touan, déjà dégradé, a entraîné avec lui plusieurs Princes et Peilo (Princes du 3e rang). Il a écouté légèrement les Boxeurs et sottement il a conseillé de se battre. C'est ainsi que tous ces troubles ont éclaté : ses fautes, en vérité, ne peuvent être écartées. Tsi-Lan, Duc Fou-Kouo, rétrogradé, a, de concert avec Tsai-Hiun, sottement publié des proclamations contraires aux traités. Il doit également être puni pour ses fautes. Nous les privons de leurs titres de noblesse,mais, considérant qu'ils font partie de notre famille, Nous ordonnons, par une faveur spéciale que Nous leur accordons, qu'ils soient envoyés dans le Sin-Kiang (Ili), où ils seront condamnés à perpétuité à la prison. On enverra d'abord des délégués pour les surveiller.

Yu-Hien, gouverneur dégradé, a cru sottement, lorsqu'il exerçait précédemment les fonctions de gouverneur au Chantong, aux philtres des Boxeurs. Arrivé à Pékin, il en a vanté les louanges, si bien que plusieurs Princes et Ministres ont subi sa mauvaise influence. Etant gouverneur du Chansi, il a massacré uu grand nombre de missionnaires et de chrétiens. C'est plus qu'un imbécile, qu'un fou qu' assassin, c'est le plus grand coupable et l'auteur de toutes ces calamités. Il a déjà été envoyé au Sin Kiang et, pensant qu'il est arrivé au Kan-Sou, Nous ordonnons que, sur l'ordre que nous envoyons, il soit immédiatement décapité. Nous chargeons le juge provincial Ho Fou-Koueun, de constater l'application de la peine.

Kang-Yi, Sous-Grand Secrétaire d'Etat, Président au Ministère de l'Intérieur, ayant prêté son appui aux Boxeurs, des troubles graves éclatèrent. Il contribua à publier des proclamations contraires aux traités. Un châtiment sévère devait à l'origine lui être infligé, mais il est mort de maladie. Nous ordonnons que les grades qu'il possédait primitivement lui soient retirés et qu'il soit aussitôt dégradé.

Tong Fou-siang, général au Kan-sou, dégradé et laissé en fonctions, est entré (dans Pékin) pour défendre (la ville) avec les troupes placées sous ses ordres ; il n'a pas su exercer une discipline sévère. Ignorant de plus les questions internationales, il suivait ses idées et agissait d'une façon inconsidérée. Bien

que les attaques contre les Légations lui fussent ordonnées par les susdits Princes dégradés, il est difficile cependant de l'absoudre de toutes fautes. Nous devions d'abord le punir sévèrement, mais, songeant aux services signalés qu'il a rendus au Kan-sou et aux sympathies qu'il a acquises parmi les Musulmans et les Chinois, par un acte de clémence extraordinaire, Nous ordonnons qu'il soit immédiatement dégradé.

Ying-Nien, Président de la Cour des Censeurs, rétrogradé et déplacé, s'est opposé à ce que Tsai-Hiun publie de sa propre autorité des proclamations contraires aux traités. Nous pouvons tenir compte de cette circonstance, mais comme il n'a pas su vaincre (cette résistance) par la force, il est en somme difficile de l'absoudre de ses fautes. Nous ordonnons, par une marque de grande bienveillance, qu'il soit dégradé. Nous le condamnons à mort et il attendra en prison qu'il soit statué sur son cas.

Tchao Chou-Kiao, Président au Ministère de la Justice, dégradé et laissé en fonctions, n'avait jamais montré jusqu'alors aucun sentiment d'animosité dans les relations avec les Puissances Etrangères. Ayant fait une enquête sur les Boxeurs il ne tint aucun propos en leur faveur, mais par sa négligence des fautes furent commises. Nous ordonnons, par une marque de grande bienveillance, qu'il soit dégradé. Nous le condamnons à mort et il attendra en prison qu'il soit statué sur son cas.

Nous ordonnons qu'Ying-Nien et Tchao Chou-Kiao soient d'abord enfermés dans la prison de la capitale du Chen Si.

Siu tong, Grand Secrétaire d'Etat, et Li ping-heng, ancien Gouverneur Général du Szetchouen, rétrogradé et déplacé, sont morts pour la patrie, mais tout le monde reconnaît leurs fautes. Nous ordonnons de les dégrader et Nous leur retirons les honneurs posthumes que Nous leur avions conférés.

Après la promulgation de ce décret, tous nos pays amis devront considérer que les événements causés par les Boxeurs ne sont dûs en vérité qu'aux principaux fauteurs de désordre et nullement aux désirs de la Cour.

Nous, Empereur, ne punissant pas à la légère plusieurs des principaux fauteurs de désordre, les mandarins et les populations de l'Empire comprendront aussitôt que les conséquences de telles affaires sont des plus graves.

" Respect à ceci ! "

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 5.

Edit Impérial du 13 février 1901. (*Traduction*).

K'i-Sieou, Président au Ministère des Rites et Siu Tch'eng-Yu, précédemment Directeur de gauche au Ministère de la Justice, seront d'abord dégradés.

Nous ordonnons à Yi-K'ouang et à Li Hong-Tchang de rechercher les preuves exactes de leur culpabilité et de Nous adresser aussitôt un rapport. Ils seront punis avec la plus grande sévérité.

" Respect à ceci ! "

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 6.

Edit Impérial du 21 février 1901. (*Traduction*).

Edit rendu et transmis télégraphiquement le 3e jour de la 1ère lune (21 février 1901), et reçu la 4 par la Grande Chancellerie.

Par un Edit antérieur, Nous avions déjà sévèrement puni, suivant leur cas, tous les hauts fonctionnaires auteurs principaux des maux présents. Mais Nous avons reçu, il y a quelques temps, un rapport télégraphique de Y-K'ouang et de Li Hong-Tchang, nous disant que, d'après une dépêche officielle des ministres plénipotentiaires des diverses Puissances, de nouvelles aggravations de peines étaient nécessaires, et Nous suppliant de prendre une décision.

Outre Tsai-Hiun, auquel il a été prescrit de se suicider, et Yu-Hien, contre lequel la peine de la décapitation immédiate a été prononcée, et pour chacun desquels des délégués seront chargés d'aller vérifier (l'exécution des sentences), Nous décidons que la peine applicable à Tsai-Yi (Prince Touan) et à Tsai-Lan (Duc Lan) est la décapitation avec sursis; toutefois, en considération des liens de parenté qui les unissent à Nous, Nous leur faisons la faveur toute spéciale

de les envoyer sur les confins de l'Empire, au Turkestan, où ils seront emprisonnés à perpétuité. Un délégué chargé de les conduire sous escorte sera désigné et partira au premier jour.

Pour Kang-Yi, dont les crimes étaient plus graves, la peine à appliquer aurait été la décapitation sans délai; mais comme il est déjà mort de maladie, il lui sera fait grâce d'un nouvel examen de son cas.

Pour Ying-Nien et Tchao Chou-K'iao, dont la peine, suivant Nos précédentes décisions, devait être la décapitation avec sursis, Nous ordonnons qu'ils soient invités à se suicider et Nous chargeons Ts'en-Tch'oun-Hiuan, Gouverneur du Chan-Si, d'aller contrôler (leur mort).

Pour K'i-Sieou et Siu Tc'hen-Yu que les Puissances désignent comme les protecteurs acharnés des bandits Boxeurs et, comme ayant tout particulièrement fait du mal aux étrangers, Nous avions précédemment édicté leur destitution ; Nous ordonnons (aujourd'hui) à Yi-K'ouang et à Li Hong-Tchang de demander aux Puissances, par dépêche, leur remise, et de les faire aussitôt exécuter. L'un des Présidents du Ministère de la Justice sera chargé de contrôler (leur exécution).

Quant à Siu T'ong, qui a compromis les grands intérêts généraux en accordant à la légère confiance aux Boxeurs, et à Li Ping-Heng dont les habitudes de vantardise ont délibèrement engendré ces malheurs, la peine à leur appliquer aurait été la décapitation avec sursis ; mais prenant en considération qu'ils se sont suicidé en voyant approcher le désastre, qu'ils ont déjà été dégradés, et que les honneurs posthumes qui leur avaient été décernés ont été annulés et retirés, il convient de ne pas revenir sur leur cas.

La nature des crimes commis par tous les auteurs principaux du mal a été exposée, d'une façon claire et détaillée dans de précédents décrets.

Respect à ceci !

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No 7.

Edit Impérial du 13 février 1901. (*Traduction*).

" Les troubles suscités par les Boxeurs dans le courant de la 5e lune (mai-juin) ayant augmenté de jour en jour, la Cour avait deux partis difficiles à prendre, soit de prendre des mesures coercitives, soit de les apaiser. Dans l'espoir qu'une voie nous serait indiquée les Ministres furent appelés plusieurs fois en audience.

Nous avons maintes fois interrogé Siu Yong-Yi, Président au Ministère de la Guerre, Li-Chan, Président au Ministère des Finances, Hiu King-Tcheng, Directeur de gauche au Ministère de l'Intérieur, Lien-Yuan, Vice-Chancelier du Grand Secrétariat, Yuan-Tchang, Directeur à la Cour des Sacrifices.

Dans leurs discours et dans leurs pensées, tous admirent que les deux méthodes étaient possibles. Plusieurs Ministres fauteurs de désordre profitant aussitôt de cette circonstance, les accusèrent injustement, remirent des mémoires dans lesquels ils les dénonçaient. C'est ainsi qu'ils furent punis sévèrement dans leur personne.

Mais songeant que Siu Yong-Yi et autres ont fait preuve d'un grand zèle pendant plusieurs années et qu'ils se sont toujours occupés de questions internationales, qu'ils pouvaient être fidèles et qu'ils se sont montrés laborieux, nous devons leur accorder une faveur.

Nous ordonnons que Siu Yong-Yi, Li-Chan, Hiu King-Tcheng, Lien-Yuan et Yuan-Tchang soient réintégrés dans leurs anciens grades.

Que le Ministère que l'affaire concerne en soit informé.

Respect à ceci ! "

Pour copie conforme.:

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 8.

Edit Impérial du 19 Août 1901. (*Traduction*).

Edit reçu par la Grande Chancellerie le 6e jour de la 7e lune de la 27e année Kouang-Siu (le 19 août 1901).

" Vu le rapport de ce jour par lequel Yi-K'ouang et Li Hong-tchang Nous " font savoir que les Puissances Etrangères ont décidé la suspension pendant " cinq années des examens civils et militaires dans les localités qui ont été le " théâtre de troubles ;

" Considérant qu'il est déclaré que cette suspension devra rester applicable " aux examens locaux de licence de Choun t'ien et de T'ai-yuan ;

" Vu la liste comprenant les localités de :

" Province du Chan-Si : T-ai-yuan-fou, Hintcheou, T'ai-kou-hien, Ta-t'ong- " fou, Fentcheou-fou, Hiao-yi-hien, K'iu-wo-hien, Ta-ning-hien, Ho-tsin-hien, " Yo-Yang-hien, So-p'ing-fou, Wenchouei-hien, Cheou-yang-hien, P'ing-yang-fou, " Tch'ang-tze-hien, Kao-p'ing-hien, Tse-tcheou-fou, Si-tcheou, P'ou-hien, Kiang- " tcheou, Kouei-houatch'eng, Souei-yuan-tch'eng ;

" Province du Ho-nan : Nan-yang-fou, Kouangtcheou ;

" Province de Tchè-Kiang : K'iu-tcheou-fou ;

" Province du Tché-li : Pékin, Choun-t'ien-fou, Pao-ting-fou, Yong-ts'ing " hien, T'ien-tsin-fou, Chounte-fou, Wang-tou-hien, Houai-lou-hien, Sin-ngan-hien " T'ong-tcheou, Wou-yi-hien, King-tcheou, Louanp'ing-hien.

" Trois provinces de Mandchourie : Cheng-King (Moukden), K'ia-ze-tch'- " ang, Lienchan, Yu K'ing-Kié, Pei-lin-tze, Hou-lan-tch'eng ;

" Province du Chén-Si : Ning-Kiang-tcheou ;

" Province du Hou-nan : Heng-tcheou-fou ;

" Nous ordonnons que, dans toutes ces localités, les examens civils et " militaires seront suspendus pendant une durée de cinq années, et Nous " prescrivons á tous les Gouverneurs généraux, Gouverneurs et Examinateurs " des provinces visées, d'agir de conformité et de faire publier des proclamations."

Respect à ceci !

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 9.

Edit Impérial du 18 Juin 1901. (*Traduction*).

Edit reçu par télégraphe de Si-Ngan-Fou le 3e jour de la 5e lune (18 juin 1901).

Nous conférons à M. Na-T'ong, second Vice-Président du Ministère des Finances, le bouton mandarinal du premier rang, et le désignons comme Envoyé spécial pour se rendre au Japon et s'y acquitter respectueusement de la mission dont Nous le chargeons.

Respect à ceci !

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 10.

Liste des cimetières situés aux environs de Pékin, et qui ont été profanés.

Cimetière anglais	un
Cimetiéres français	cinq
Cimetière russe	un
Total	sept

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 11.

Edit Impérial du 25 août 1901. (*Traduction*).

Nous ordonnons à tous les Maréchaux tartares, Gouverneurs généraux et Gouverneurs des provinces, ainsi qu'aux taotais des Douanes d'interdire, d'abord pour une durée de deux ans, l'importation des engins de guerre ainsi que du matériel servant exclusivement à leur fabrication de provenance étrangère.— Aviser le Ministère que cela concerne.

Respect à ceci !

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 12.

Dépêche du Prince K'ing et de Li Hong-Tchang à M. de Cologan, Ministre d'Espagne, Doyen du Corps Diplomatique (29 Mai 1901). (*Traduction*).

Le 12e jour de la 4e lune de la 27e année de Kouang-Siu (le 29 Mai 1901).

Réponse Officielle.

Le 7e jour de la 4e lune de la présente année (le 24 Mai 1901), nous avons reçu de Votre Excellence la communication officielle ci-après :

" J'ai l'honneur d'accuser réception à Votre Altesse et à Votre Excellence de la lettre qu'Elles ont bien voulu m'adresser en réponse à ma communication en date du 7 Mai au sujet des indemnités. Dans la lettre à laquelle Votre Altesse et Votre Excellence viennent de répondre nous leur faisions connaître que le chiffre des dépenses effectuées et des pertes subies par les Puissances s'élevait à la somme approximative de quatre cent cinquante millions de taels calculée jusqu'au 1er juillet.

En réponse à cette communication, Votre Altesse et Votre Excellence m'ont fait connaître que le Gouvernement Chinois proposait de s'acquitter de cette somme envers les Puissances au moyen de versements mensuels de 1.250.000 taels pendant 30 années.

Les Représentants des Puissances n'ont pas manqué de transmettre cette proposition à leurs Gouvernements. Mais ils doivent appeler l'attention de Votre Altesse et celle de Votre Excellence sur le fait, que le total des versements proposés par le Gouvernement Chinois ne représente que le capital de la somme indiquée, sans qu'il ait été tenu compte du calcul des intérêts.

Je prie en conséquence Votre Altesse et Votre Excellence de vouloir bien nous faire connaître le plus tôt possible les intentions du Gouvernement Chinois à cet égard."

En traitant dans une précédente dépêche la question des indemnités, nous avons exposé à Votre Excellence l'état de pénurie du Trésor chinois. Dans sa dernière communication Votre Excellence veut bien nous faire observer que les versements annuels de 15 millions de taels que nous avons proposés ne représente que le capital, et vous appelez maintenant notre attention sur la question des intérêts.

Estimant nous-mêmes, qu'outre le capital, il y avait lieu de tenir compte d'intérêts annuels à quatre pour cent, nous avions déjà par télégramme, soumis au Trône des propositions à ce sujet ; et, en réponse, nons avons reçu un Edit Impérial portant que "le chiffre des indemnités à payer aux Puissances de "quatre cent cinquante millions avec intérêts à quatre pour cent est approuvé, "et nous commandant de prendre les mesures nécessaires pour donner suite à cette décision."

Nous n'avons donc plus qu'à nous conformer aux ordres du Trône.

Toutefois ceci nous oblige à rappeler à Votre Excellence que les ressources financières de la Chine sont tellement limitées qu'aucun prélèvement n'est possible en dehors des 15 millions de taels que nous avons déjà proposé à Votre Excellence d'affecter spécialement au paiement des indemnités. Or puisqu'ils doivent faire face non seulement au payement du capital, mais aussi au service des intérêts, nous n'avons d'autre alternative à proposer que de prolonger le terme des payements que nous avions fixé d'abord à 30 anneées, de telle manière que les versements effectués pendant la première période de ce terme ainsi prolongé soient considérés comme destinés à éteindre le capital, pendant

que ceux opérés au cours de la seconde période serviraient à liquider le compte des intérêts : tout paiement cesserait alors par suite de l'extinction de la dette. La Douane Impériale Maritime déjà chargée, comme nous le proposions, des versements du capital, serait également chargée du versement des intérêts. Quand au chiffre des intérêts annuels il serait entendu qu'il diminuerait proportionnellement d'année en année à mesure de l'extinction progressive du capital.

Nous avons l'honneur de prier Votre Excellence de vouloir bien nous faire connaître ce qu'elle pense du mode de procédure que nous lui proposons ci-dessus pour acquitter le capital et les intérêts, ou, si à son avis il ne vaudrait pas mieux considérer une partie des 5 millions versés annuellement comme un à compte sur les intérêts à servir. Ces détails demandent un examen attentif et exigent une entente préalable et complète.

La Chine ayant ainsi montré tout son bon vouloir en accédant aux demandes des Puissances sur la question des indemnités, et prenant toutes les dispositions nécessaires pour en assurer le payement intégral, nous espérons avoir bientôt la satisfaction d'apprendre que les Puissances se trouvent à même de fixer une date prochaine à l'évacuation.

Nous avons l'honneur de prier Votre Excellence de vouloir bien porter cette communication à la connaissance des Représentants des Puissances.

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

MENT.

Années.	SÉRIE A. Tls. 75.000.000 Eteinte en 1940 par un amortissement annuel de 1.106 % en 39 ans commençant en 1902 — sommes dues par les B.C.D.E.	Annuités de la dette existante garantie par les Douanes M.-I. et les Likins.	Montant total de la dette étrangère.
	Tls.	Tls.	Tls.
1902	INT. & AM. 3.829.[illegible]9.500	23.600.000	42.429.500
1903	,, ,, ,,	23.300.000	42.129.500
1904	,, ,, ,,	23.300.000	42.129.500
1905	,, ,, ,,	24.100.000	42.929.500
1906	,, ,, ,,	23.900.000	42.729.500
1907	,, ,, ,,	23.700.000	42.529.500
1908	,, ,, ,,	23.400.000	42.229.500
1909	,, ,, ,,	23.400.000	42.229.500
1910	,, ,, ,,	23.200.000	42.029.500
1911	,, ,, [illegible]9.300	22.800.000	42.699.300
1912	,, ,, ,,	22.600.000	42.499.300
1913	,, ,, ,,	22.400.000	42.299.300
1914	,, ,, ,,	22.100.000	41.999.300
1915	,, ,, [illegible]3.300	19.400.000	42.683.300
1916	,, ,, [illegible]3.800	18.500.000	42.983.800
1917	,, ,, ,,	18.500.000	42.983.800
1918	,, ,, ,,	18.500.000	42.983.800
1919	,, ,, ,,	18.500.000	42.983.800
1920	,, ,, ,,	18.500.000	42.983.800
1921	,, ,, ,,	18.500.000	42.983.800
1922	,, ,, ,,	18.500.000	42.983.800
1923	,, ,, ,,	18.500.000	42.983.800
1924	,, ,, ,,	18.500.000	42.983.800
1925	,, ,, ,,	18.500.000	42.983.800
1926	,, ,, ,,	18.500.000	42.983.800
1927	,, ,, ,,	18.500.000	42.983.800
1928	,, ,, ,,	18.500.000	42.983.800
1929	,, ,, ,,	18.500.000	42.983 800
1930	,, ,, ,,	18.500.000	42.983.800
1931	,, ,, ,,	18.400.000	42.883.800
1932	,, ,, [illegible]0.150	7.500.000	42.850.150
1933	,, ,, ,,	6.300.000	41.650.150
1934	,, ,, ,,	5.900.000	41.250.150
1935	,, ,, ,,	5.900.000	41.250.150
1936	,, ,, ,,	5.900.000	41.250.150
1937	,, ,, ,,	5.900.000	41.250.150
1938	,, ,, ,,	5.900.000	41.250.150
1939	,, ,, ,,	5.900.000	41.250.150
1940	,, ,, .	5.900.000	41.250.150
	0.18433 de toute la somme à payer Tls. 450.000.000 à partir de 1902. [illegible]238.150.		

Pour copie conforme :

A. D'ANT[illegible]

B. KROU[illegible]

Signé : REGINAL[illegible]

G. v. BO[illegible]

ANNEXE No. 14.

Description des limites du quartier des Légations à Pékin.

Le point 1 est situé sur la muraille Sud de la ville tartare à cent pieds à l'Est du côté Est de la superstructure de la Tsien Men. De ce point la limite court, sur une longueur de deux cent seize pieds, suivant une ligne presque directement Nord, jusqu'au

point 2, coin Sud-Est de la balustrade en pierres blanches qui entoure l'espace ouvert, pavé, devant l'entrée principale de la Cité Impériale.

De ce point la limite court, sur une longueur de trois cent dix pieds, le long du côté Est de cette balustrade, presque directement au Nord jusqu'au

point 3 situé sur le côté Nord de la route qui fait suite à la rue des Légations, et qui est à l'intersection de la limite venant de 2 et d'une ligne tirée en prolongement du côté Nord de la rue des Légations.

De ce point, la ligne court, sur une longueur de six cent quarante et un pieds et demi (mesurés autour et dans les coins du mur), le long du côté Nord de la rue de Légations jusqu'au

point 4, à cent quarante-six pieds à l'Ouest du coin (Sud-Ouest) de la Gaselee Road, mesurés le long du Nord de la rue des Légations.

Depuis ce point, la limite court, sur une longueur de deux mille cent cinquante-deux pieds (mesurés autour et dans les coins des constructions), dans la direction générale du Nord, mais en cotoyant les constructions actuellement existantes, et, dans les espaces ouverts entre les constructions, le long d'une ligne parallèle à l'alignement général du côté gauche de la Gaselee Road et à cent cinquante-sept pieds à l'Ouest côté Ouest de la porte qui mène de la Gaselee Road à la cour extérieure de la Cité Impériale, jusqu'au

point 5, sur la face Sud du mur Sud de la cour extérieure de la Cité Impériale et à cent cinquante-sept pieds depuis le côté Ouest de la porte au bout de la Gaselee Road.

Depuis ce point, la ligne court sur une distance de mille deux cent quatre-vingt-huit pieds presque directement dans l'Est, le long du mur jusqu'au

point 6, coin Sud-Est de la cour extérieure de la Cité Impériale.

De là, la ligne court presque directement au Nord, le long du mur, sur une distance de deux cent dix-huit pieds mesurés en droite ligne jusqu'au

point 7, coin Nord-Est de la cour extérieure.

De là, la ligne court presque droite dans l'Est, sur une distance de six cent quatre-vingt-un pieds jusqu'au

point 8, coin Sud-Est de la muraille de la Cité Impériale.

De ce point, la limite court presque directement au Nord, sur une distance de soixante cinq pieds, le long du mur jusqu'au

point 9, à soixante-cinq pieds du coin Sud-Est du mur de la Cité Impériale.

De là, la limite court directement à l'Est sur une longueur de trois mille dix pieds jusqu'au

point 10, sur le côté Ouest de la Ketteler Strasse et à trois cents pieds du coin d'intersection de la Ketteler Strasse et de la Viale Italia.

De ce point, la limite court presque directement au Sud, le long de la face Ouest de la Ketteler Strasse jusqu'au

point 11, coin Nord-Ouest de la voûte de la Hatamen, sur la muraille Sud de la ville tartare.

De là, la limite court le long du mur et comprend la rampe Ouest de la Hatamen jusqu'au

point 12, sur le mur, à cent pieds à l'Ouest de la superstructure de la Hatamen.

A partir de 12, la limite suit la face Sud de la muraille, comme le montre le plan, y compris les bastions et va rejoindre 1.

Les points du plan dont les relèvements sont pris sont les suivants :

A.—Point à cent sept pieds de la superstructure de la Tsien Men, mesuré à l'Est le long du bord Nord du faîte du mur de la ville tartare.—

B.—Point sur le sommet du bord Nord du mur de la ville tartare, juste au-dessus du milieu du canal d'écoulement des eaux.

C.—Coin Nord-Ouest de la superstructure de la Hatamen.

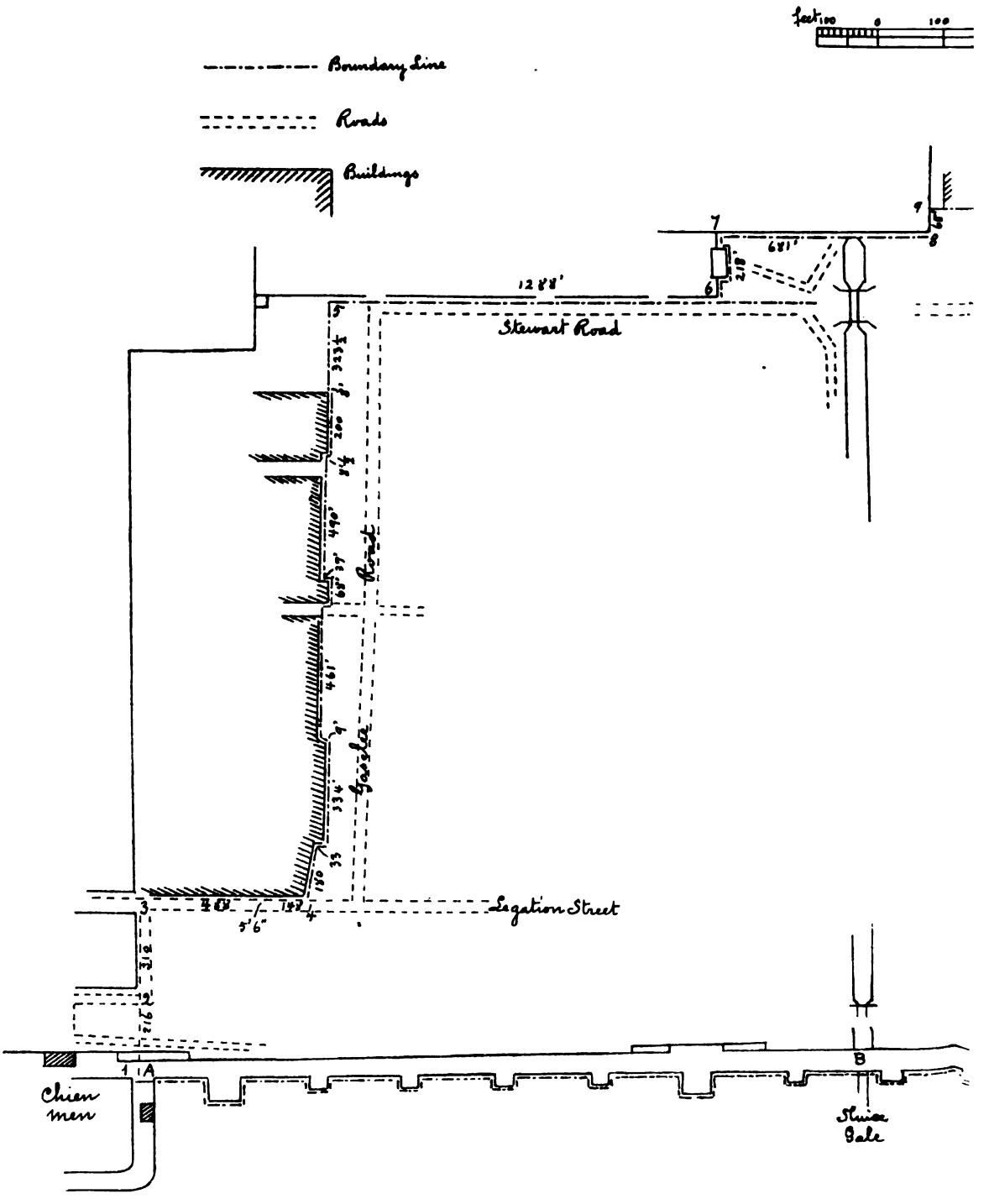
Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

Peking a

Plane

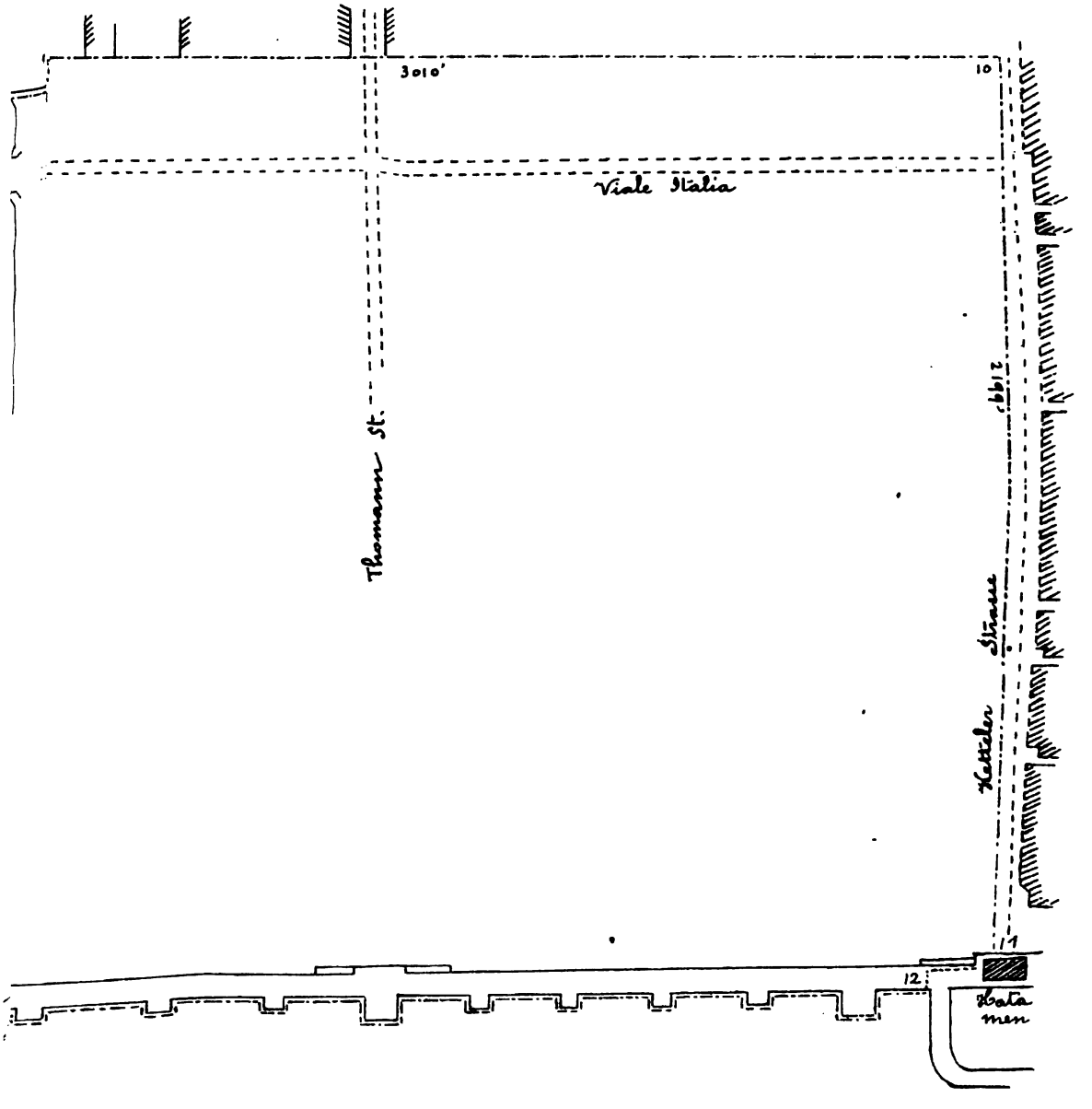
Scale



ingégation Boundaries

Plan able Survey

240 ft. to 1 inch. $\frac{1}{2880}$



ANNEXE No. 15.

Edit Impérial du 1er Février 1901. (*Traduction*).

Dans toutes les provinces, des bandits ont appelé des adhérents et fondé des sociétés anti-étrangères. Divers édits l'ont interdit formellement. Nous l'avons répété maintes fois et cependant, dans ces dernières années, il y a encore eu, dans tous les districts du Changtong des sectes du nom de Ta-tao-houei (Société des Grands Couteaux) et Y-Ho-Kien (Boxeurs) qui se sont propagées partout pour tuer et voler sciemment. Elles ont gagné peu à peu le territoire du Tche-li et ont pénétré brusquement dans la capitale où les établissements étrangers ont été incendiés et les Légations attaquées. Des crimes ont été ainsi commis contre des pays voisins et des fautes ont été faites contre l'intérêt général. Pour ne pas avoir assuré la protection, nous avons encouru des responsabilités considérables.

Vous, peuple, qui en temps ordinaire vous nourrissez et vivez des produits de cette terre, qui tous avez été comblés des bienfaits de l'Empire, vous avez osé cependant inciter ces bandits à désirer se battre, à enseigner des méthodes pour jeter des sorts et à s'adonner à de fausses pratiques. Vous avez résisté témérairement à vos mandarins, vous les avez massacrés, vous avez assassiné des étrangers, et puis vous avez été cause de ces calamités inouïes qui par dessus tout ont plongé dans la douleur votre Souverain et vos pères.

Nous ne pouvons penser à ce qui a été fait, sans éprouver un ressentiment plus profond encore. Nous avons déjà prescrit formellement aux Commandants en chef de toutes les régions de faire leurs efforts les plus sincères pour détruire ces sociétés. Il importe de supprimer le mal jusque dans sa racine, aussi les Princes et les Ministres, qui ont prêté leur appui aux Boxeurs, subiront-ils les peines les plus sévères conformes à leurs crimes, et, afin d'inspirer la crainte, tous les examens civils et militaires seront supprimés pendant cinq ans dans toutes les villes où des étrangers ont été massacrés ou ont subi des traitements cruels.

Craignant que les populations ignorantes des campagnes n'aient pas connaissance (de ces punitions), de nouvelles interdictions sévères seront faites spécialement afin d'éviter que l'on n'exécute des gens qui n'auraient pas été avisés.

Vous, soldats et peuple, vous devez savoir qu'il est formellement défendu par la loi de former des sociétés secrètes ou d'en faire partie. Nos ancêtres n'ont jamais montré la moindre indulgence dans la répression contre des sociétés de malfaiteurs.

D'ailleurs, les Puissances étrangères sont toutes des pays amis, les chrétiens sont des enfants de notre sang que la Cour regarde avec la même bienveillance, et Elle ne saurait admettre d'avoir pour eux des sentiments différents. Tous les Chinois, chrétiens ou non, qui seraient maltraités devront se plaindre auprès des autorités et attendre qu'un jugement juste et équitable soit rendu. Comment pouvez-vous croire à la légère toutes les rumeurs que l'on répand ? Comment pouvez-vous ne plus tenir compte des lois pénales ?

Ensuite, lorsque tout est perdu, ceux qui sont habiles se sauvent au loin et les naïfs sont mis à mort. La loi pardonne difficilement et tout ceci est vraiment fort triste. A partir de la publication du présent édit, chacun devra s'amender et se repentir des enseignements qu'il a reçus.

Si des malfaiteurs endurcis et incorrigibles venaient encore à former clandestinement des sociétés anti-étrangères, ils seraient punis de mort ainsi que quiconque ferait partie de ces sociétés. On ne pourra avoir pour eux la moindre indulgence.

Les Maréchaux tartares, les Gouverneurs généraux, Gouverneurs et Hautes Autorités provinciales qui ont le devoir de diriger les populations, devront donner des instructions très précises à leurs subordonnés de publier des proclamations sévères et de faire imprimer sur papier jaune le présent décret qui sera affiché partout. Il importe que toutes les familles soient avisées, qu'on les exhorte toutes au bien et que nul n'ignore que la volonté de la Cour est que tous sachent bien que l'on punira afin d'éviter d'infliger d'autres punitions.

Que cet édit soit porté dans tout l'Empire à la connaissance de tous.

Respect à ceci !

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 16.

Décret Impérial du 24 décembre 1900. (*Traduction*).

Il a été stipulé dans les traités passés entre la Chine et les Puissances Etrangères que les nationaux de ces Puissances auront la faculté de pénétrer dans l'intérieur.

La Cour, pour assurer et maintenir les relations avec les autres pays, a déjà rendu des décrets prescrivant que l'on fasse les efforts les plus sincères dans les provinces pour assurer la protection. Cependant les autorités locales s'étant relâchées peu à peu (dans l'exercice de leurs fonctions), des troubles ont été causés par les malfaiteurs et des attaques ont été dirigées contre les étrangers. On a vu de semblables incidents se renouveler plusieurs fois.

Nous comprenons que nos qualités ont été trop faibles pour amener le peuple ignorant à se réformer de ce qui nous a conduit à commettre des fautes immenses. Pas un seul mandarin local n'a su, en temps ordinaire, faire connaître les affaires européennes et aucun n'a compris l'importance des relations étrangères. Aussi la conflagration s'est-elle étendue partout menaçant l'Empire, et s'ils s'interrogent en eux-mêmes, ils ne se sentiront pas tranquilles.

Dorénavant chacun d'entre vous devra s'appliquer à repousser ses ressentiments et à dépouiller ses préjugés. Vous devez savoir que, de tous temps, l'entretien de relations amicales avec les pays étrangers a été une règle fondamentale. Les gens qui arrivent en Chine venant de loin, soit comme marchands pour y échanger leurs produits, soit comme voyageurs pour augmenter leurs connaissances scientifiques, ou encore comme missionnaires pour prêcher la religion dans le but d'exhorter les gens à faire le bien, ont franchi les montagnes et traversé les mers au prix des plus grandes fatigues.

Puisque la Chine passe pour un pays civilisé, elle doit pratiquer les devoirs d'un hôte envers ses invités. D'ailleurs, les Chinois qui, dans ces dernières années, se sont rendus à l'étranger sont au moins plusieurs centaines de mille. Leurs personnes et leurs biens dépendent de la garantie que leur assurent les Puissances qui leur ont donné leur protection. Comment pourrions-nous continuer de traiter différemment leurs nationaux ?

Nous ordonnons de nouveau à toutes les Hautes Autorités civiles et militaires responsables de toutes les provinces de prescrire à leurs subordonnés de

protéger, de la façon la plus efficace, les agents et nationaux des Puissances étrangères qui viendraient dans leurs circonscriptions. Dans le cas où des malfaiteurs audacieux pousseraient à maltraiter et massacrer des étrangers, on devra sur le champ aller rétablir l'ordre, arrêter les coupables et les châtier. Aucun retard ne devra y être apporté. Si par suite d'indifférence, ou plus, de tolérance volontaire de grandes calamités venaient à se produire, ou si des infractions aux traités venaient à se produire et n'étaient pas immédiatement réprimées et punies, les Gouverneurs Généraux, Gouverneurs et Fonctionnaires provinciaux ou locaux responsables seront révoqués sans pouvoir être appelés à de nouvelles fonctions, dans d'autres provinces ou espérer être réintégrés ni recevoir de nouveaux honneurs.

Le présent décret devra être imprimé et publié afin de prévenir les mandarins et le peuple et mettre fin à toutes ces habitudes indignes.

Respect à ceci !

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 17.

Règlement pour l'amélioration du cours du Whangpou.

I.—Il est établi à Shanghai un Conseil fluvial (River Conservancy Board) pour la rivière Whangpou.

II.—Le Conseil aura le double devoir d'agir comme organe de rectification et d'amélioration de la voie fluviale, et comme organe de contrôle.

III.—La juridiction du Conseil s'étendra depuis une ligne tirée de la limite inférieure de l'arsenal de Kiang-nan vers l'embouchure de la crique dite " de l'Arsenal ", jusqu'à la bouée rouge dans le Yangtze.

IV.—Le Conseil sera constitué comme suit :

(a) le Taotai ;

(b) le Commissaire des Douanes ;

(c) deux Membres élus par le Corps Consulaire ;

(d) deux Membres de la Chambre générale de Commerce de Shanghai, élus par le comité de cette Chambre ;

(e) deux Membres représentant les intérêts de la navigation, élus par les sociétés de navigation, les maisons de commerce et les négociants dont le trafic maritime, pour le total des entrées et sorties à Shanghai, à Wousong ou dans tout autre port sur le Whangpou, excède cinquante mille tonnes par an ;

(f) un Membre du Conseil municipal de la Concession Internationale (" International Settlement ") ;

(g) un Membre du Conseil municipal de la Concession Française ;

(h) un Représentant de chacun des Pays dont le trafic maritime, pour le total des entrées et sorties à Shanghai, à Wousong, ou dans tout autre port sur le Whangpou, excède deux cent mille tonneaux de jauge par an. Ces Représentants seront désignés par les Gouvernemnts des Pays en question.

V.—Les Membres de droit rempliront leur mandat tant qu'ils occuperont le poste en vertu duquel ils font du Conseil.

VI.—Les Représentants des Conseils municipaux et de la Chambre de Commerce seront élus pour la période d'un an. Ils seront immédiatment rééligibles.

Seront également désignés pour la période d'un an, les Représentants des Gouvernements prévus au § h de l'article IV.

Le mandat des autres Membres sera de trois ans ; ils seront immédiatement rééligibles.

VII.—En cas de vacance au cours d'un mandat, le successeur du membre sortant sera désigné pour un an ou pour trois ans selon la catégorie à laquelle il appartient.

VIII.—Le Conseil nommera pour un an son Président et son Vice-Président, choisis parmi ses Membres. S'il n'y a pas de majorité pour l'élection du Président, le Doyen du Corps Consulaire sera prié de former une majorité par son vote.

IX.—En cas d'absence du Président, celui-ci sera remplacé par le Vice-Président. Si tous deux sont absents, les Membres présents désigneront parmi eux un Président ad hoc.

X.—Dans toutes les séances du Conseil, s'il y a partage égal de voix, celle du Président sera décisive.

XI.—Le Conseil ne pourra délibérer que lorsque quatre de ses Membres au moins seront présents.

XII.—Le Conseil nommera les fonctionnaires et employés qu'il jugera nécesaires à l'exécution des travaux et à l'application des règlements, fixera leurs appointements, salaires et gratifications, qu'il paiera sur les fonds mis à sa disposition. Il pourra édicter des réglements, prendre toutes les dispositions applicables à son personnel, et congédier celui-ci à volonté.

XIII.—Le Conseil arrêtera les dispositions nécessaires à la réglementation du trafic, y compris l'installation des appareils de mouillage en rivière et la réglementation des mouillages eux-mêmes, dans les limites indiquées à l'article III, ainsi que sur toutes les voies d'eau telles que les criques de Sou-Tchéou et autres traversant la Concession Française ou la Concession Internationale (" International Settlement ") à Shanghai et dans le quartier étranger de Wousong, de même que sur toutes les autres criques débouchant dans la rivière, jusqu'à une distance de deux milles anglais en amont de leur embouchure.

XIV.—Le Conseil aura le droit d'exproprier les appareils de mouillage fixes appartenant à des particuliers, et d'établir un système d'appareils de mouillage publics dans la rivière.

XV.—L'autorisation du Conseil sera nécessaire pour l'exécution de tous travaux de dragage, de construction de quais et de jetées, ainsi que pour l'établissement de tous pontons ou maisons flottantes, dans la section de la rivière mentionnée à l'article XIII. Le Conseil pourra refuser à discrétion cette autorisation.

XVI.—Le Conseil aura pleins pouvoirs pour faire enlever tous obstacles dans la rivière ou dans les criques sus-mentionnées, et pour recouvrer, si cela est necessaire sur les personnes qui seraient responsables, les dépenses qui en résulteraient.

XVII.—Le Conseil aura la disposition de tous feux flottants, bouées, balises, amers et signaux lumineux, dans la section de la rivière et dans les criques mentionnées à l'article XIII, ainsi que de tous appareils établis à terre et nécéssaires à la sûrete de la navigation fluviale, à l'exception des phares, auxquels reste applicable l'article XXXII du traité de 1858 entre la Grande-Bretagne et la Chine.

XVIII.—Les travaux d'amélioration et de conservation du Whangpou seront dans leur entier sous la direction technique du Conseil, même si leur exécution nécessitait des travaux en dehors des limites de sa juridiction. Dans ce cas, les ordres nécessaires seraient transmis par l'autorité Chinoise, et exécutés de son consentement.

XIX.—Le Conseil encaissera et déboursera tous les fonds qui seront prélevés pour les travaux, et il prendra, d'accord avec l'autorité compétente, toutes les mesures propres à assurer le recouvrement des taxes et l'application des règlements.

XX.—Le Conseil nommera le Capitaine de Port et son personnel. Ce service de port exercera son action dans les limites des pouvoirs attribués au Conseil, dans la partie de la rivière indiquée à l'article XIII.

XXI.—Le Conseil aura le pouvoir d'organiser un service de police et de surveillance destiné à assurer l'exécution de ses règlements et de ses ordres.

XXII.—Le Conseil aura la direction et la réglementation du service de pilotage de Shanghai ("Lower Yangtze pilots"). Les brevets de pilotes patentés pour les navires se rendant à Shanghai, ne pourront être délivrés que par le Conseil, qui en disposera à son gré.

XXIII.—En cas de contravention à ses règlements, le Conseil poursuivra les contrevenants de la façon suivante :

Les étrangers, devant leurs Consuls respectifs ou devant les autorités judiciaires compétentes; les Chinois ou les étrangers dont le Gouvernement n'est pas représenté en Chine, devant la Cour mixte, en présence d'un assesseur de nationalité non chinoise.

XXIV.—Tout procès intenté au Conseil sera porté devant la Cour Consulaire ("Court of Consuls") de Shanghai. Le Conseil sera représenté dans les procès par son secrétaire.

XXV.—Les Membres du Conseil et les personnes employées par lui, ne pourront encourir aucune responsabilité personnelle du fait des votes et des actes du Conseil, des contrats passés ou des dépenses engagées par cette assemblée, lorsque lesdits votes, actes, contrats et dépenses se rapporteront soit à l'élaboration, soit à l'application, sous l'autorité ou d'après les ordres du Conseil ou de l'un des services qui en dépendent, des règlements émanant de l'assemblée en question.

XXVI.—En dehors des dispositions mentionnées à l'article XIII de la pré-

sente Annexe, le Conseil aura le pouvoir de promulguer, dans les limites de sa compétence, toutes ordonnances et tous règlements nécessaires, et de fixer des amendes pour les cas de contravention.

XXVII.—Les ordonnances et règlements indiqués à l'article XXVI, seront soumis à l'approbation du Corps Consulaire. Si, deux mois après la présentation du projet, le Corps Consulaire n'y a pas mis d'opposition ou suggéré de modifications, le projet sera considéré comme approuvé et exécutable.

XXVIII.—Le Conseil aura le droit d'acquérir tous terrains nécessaires à l'exécution des travaux d'amélioration et de conservation du Whangpou, et de disposer desdits terrains. Si, dans cet ordre d'idées, il était jugé utile d'exproprier des terrains, on suivra les règles établies à l'article VI-a des "Land Regulations for the Foreign Settlement of Shanghai, North of the Yang-Kingpang." Dans ce cas, le prix sera fixé par une Commission composée de: 1° une personne choisie par l'autorité dont le propriétaire est ressortissant; 2° une autre, choisie par le Conseil; 3° une troisième, choisie par le Doyen du Corps Consulaire.

XXIX.—Les propriétaires riverains auront un droit de préférence pour l'achat de tout terrain créé en avant de leurs propriétés par les assèchements effectués pour l'amélioration des voies fluviales en question. Les prix d'acquisition de ces terrains seront fixés par une Commission constituée de la même manière qu'à l'article XXVIII.

XXX.—Les revenus du Conseil se composeront de:

(a) Une taxe annuelle d'un dixième pour cent (0, 1%) sur la valeur imposable de la propriété foncière bâtie et non bâtie dans la Concession Française et dans la Concession Internationale ("International Settlement").

(b) Une taxe égale sur toute propriété située sur les rives du Whangpou, à partir d'une ligne tirée de la limite inférieure de l'arsenal de Kiang-Nan vers l'embouchure de la crique dite "de l'Arsenal," jusqu'à l'endroit où le Whangpou se jette dans le Yangtze. La valeur imposable de ces propriétés sera fixée par la Commission mentionnée à l'article XXVIII.

(c) Une taxe de cinq candarins par tonne sur tout navire de type non Chinois et d'un tonnage supérieur à cent cinquante tonneaux, entrant dans les ports de Shanghai, de Wousong, ou dans tout autre port sur le Whangpou, ou en sortant.

Les navires de type non Chinois de cent cinquante tonneaux ou au-dessous

paieront le quart de la taxe indiquée ci-dessus. Ces taxes ne seront applicables à chaque navire, qu'une seule fois en quatre mois, quel que soit le nombre des entrées et sorties effectuées.

Les navires de type non Chinois qui font la navigation du Yangtze et relâchent à Wousong uniquement pour y prendre leurs papiers de rivière, seront exempts des taxes susmentionnées, à la condition que ces naviers ne se livrent à Wousong, tant à l'aller qu'au retour, à aucune opération commerciale. Ils auront cependant la faculté de se ravitailler à Wousong en eau et en vivres.

(d) Une taxe d'un dixième pour cent (0, 1%) sur toute marchandise déclarée aux douanes à Shanghai, à Wousong ou dans tout autre port sur le Whangpou.

(e) Une contribution annuelle du Gouvernement Chinois, égale à la contribution fournie par les divers intéressés étrangers.

XXXI.—La perception des taxes énumérées à l'article XXX sera effectuée par l'intermédiaire des autorités suivantes :

la taxe (a), par les Municipalités respectives ;

la taxe (b), à percevoir sur les ressortissants des Gouvernements représentés en Chine, par leurs Consuls respectifs ; les taxes à percevoir sur les Chinois ou sur les personnes dont le Gouvernement n'est pas représenté en Chine, par le Taotai.

Les taxes (c) et (d), par la Douane Maritime Impériale.

XXXII.—Si le total des revenus annuels du Conseil ne suffisait pas au paiement de l'intérêt et de l'amortissement du capital à emprunter pour l'exécution des travaux, à l'entretien des travaux achevés et au service en général, le Conseil aura la faculté d'augmenter dans la même proportion les diverses taxes sur la navigation, la propriété foncière bâtie et non bâtie, et le commerce, jusqu'à un chiffre suffisant pour faire face aux nécessités reconnues. Cette augmentation éventuelle sera appliquée dans les mêmes proportions à la contribution du Gouvernement Chinois dont il est question au § e de l'article XXX.

XXXIII.—Le Conseil devra informer à l'avance le Haut-Commissaire des Ports du Sud et le Corps Consulaire de Shanghai, de la nécessité des augmentations prévues à l'article XXXII. Ces augmentations ne seront applicables que lorsque le Corps Consulaire de Shanghai les aura approuvées.

XXXIV.—Le Conseil soumettra au Haut-Commissaire des Ports du Sud et au Corps Consulaire de Shanghai, dans un délai de six mois après la clôture

de ses comptes annuels, un rapport détaillé sur la direction générale et sur les recettes et dépenses pendant les douze mois précédents. Ce rapport sera publié.

XXXV.—Si les comptes de recettes et de dépenses, exactement tenus et publiés, démontrent qu'il y a un excédent des recettes sur les dépenses, les taxes mentionnées à l'article XXX seront réduites proportionnellement et d'un commun accord entre le Corps Consulaire de Shanghai et le Conseil fluvial. Cette réduction éventuelle s'appliquera dans les mêmes proportions à la contribution du Gouvernement Chinois dont il est question au § e de l'article XXX.

XXXVI.—Après l'expiration d'un premier terme de trois ans, les signataires examineront d'un commun accord celles des dispositions contenues dans la présente Annexe qu'il y aurait lieu de reviser. Une nouvelle révision pourra avoir lieu dans les mêmes conditions, de trois ans en trois ans.

XXXVII.—Dans les limites indiquées à l'article XIII, et sous réserve de leur approbation par le Corps Consulaire de Shanghai, les ordonnances du Conseil auront force de loi pour tous les étrangers.

Pékin, le 7 Septembre 1901.

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 18.

Edit Impérial du 24 juillet 1901.* (*Traduction*).

Le 9e jour de la 6e lune, la Grande Chancellerie a reçu l'édit ci-après :

" La création de fonctionnaires et la détermination de leurs attributions " ont jusqu'ici été réglées d'après les nécessités des temps. Or, en ce moment " où un nouveau traité de paix est conclu, les relations internationales vont au " premier rang des affaires importantes, et il est plus que jamais nécessaire de " recourir à des hommes capables pour s'occuper de tout ce qui a rapport à

" l'établissement de l'amitié dans les relations et de la confiance dans le langage.

" L'office des Affaires étrangères créé autrefois pour traiter les questions " internationnales, existe bien depuis des années, mais étant donné que les " Princes et Ministres que le composaient n'exerçaient pour la plupart ces fonc- " tions qu'accessoirement à d'autres, ils ne pouvaient s'y consacrer exclusive- " ment. Il convient donc naturellement de créer des fonctions spéciales afin " que chacun ait son attribution propre.

" Nous ordonnons en conséquence que l'Office des Affaires Etrangères (Tsong " li ko kouo chewou Ya-men) soit changé en Ministère des Affaires Etrangères " (Wai Wou pou) et prenne rang avant les six Ministères. Et Nous désignons " Yi-Kouang, Prince du premier rang K'ing, comme Président du Ministère des " Affaires Etrangères.

" M. Wang Wen Chao, Grand Secrétaire d'Etat du Ti-Jen Ko, est nommé " Président-adjoint au Ministère des Affaires Etrangères ; M. K'in Hong Ki " Président du Ministère des Travaux Publics passe avec le même titre au " Ministère des Affaires Etrangéres où il est nommé Président-adjoint ; M. Sin " Chéou p'eng, Directeur de la Cour des Haras et M. Lien-Fang Expectant " Sous-Directeur Métropolitain de 3^{me} ou 4^{me} rang, sont nommés premier et " second Directeurs (ou Sous-Secrétaire).

" En ce qui regarde la fixation du personnel, les règlements qui devront " présider à son choix, les émoluments à attribuer aux Ministres, Directeurs et " autres Agents, Nous prescrivons aux Conseillers de Gouvernement, de se con- " certer avec le Ministère du Personnel, et de Nous adresser promptement leurs " conclusions par voie de rapport."

" Respect à ceci."

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

ANNEXE No. 19.

Memorandum sur le cérémonial à observer dans les audiences solennelles.

1°.—Les audiences solennelles données par Sa Majesté l'Empereur de Chine au Corps Diplomatique ou aux Représentants des Puissances séparément auront lieu dans la salle du Palais appelée "K'ien-ts'ing Kong."

2°.—En allant à ces audiences solennelles ou en en revenant les Représentants des Puissances seront portés dans leur chaise jusqu'à l'extérieur de la porte King-yun. A la porte King-yun ils devront descendre de la chaise dans laquelle ils seront venus et être portés dans une petite chaise (i chiao) jusqu'au pied des marches de la porte K'ien-ts'ing.

En arrivant à la porte K'ien-ts'ing les Représentants des Puissances devront descendre de chaise et s'avancer à pied jusqu'en présence de Sa Majesté dans la salle K'ien-ts'ing Kong.

En partant, les Représentants des Puissances devront retourner à leur résidence de la même manière qu'ils seront venus.

3°.—Quand un Représentant d'une Puissance aura à présenter à Sa Majesté l'Empereur ses lettres de créance ou une communication du Chef de l'Etat par lequel il est accrédité, l'Empereur fera envoyer à la résidence dudit Représentant pour le porter au Palais une chaise à porteurs avec des garnitures et des glands jaunes, telles que celles qui sont à l'usage des Princes de la famille Impériale. Ledit Représentant sera reconduit chez lui de la même manière. Une escorte de troupes sera également envoyée à la résidence dudit Représentant pour l'accompagner à l'aller et au retour.

4°.—En présentant ses lettres de créance ou une communication du Chef de l'Etat par lequel il est accrédité, l'Agent Diplomatique, pendant qu'il portera lesdites lettres ou communications, passera par les ouvertures centrales des portes du Palais jusqu'à ce qu'il soit parvenu en présence de Sa Majesté. En revenant de ces audiences il se conformera, en ce qui concerne les portes par lesquelles il pourra avoir à passer, aux usages déjà établis à la Cour de Pékin pour les audiences données aux Représentants Etrangers.

5.°—L'Empereur recevra directement entre ses mains les lettres et communications ci-dessus mentionnées que les Représentants Etrangers pourront avoir à lui remettre.

6.°—Si Sa Majesté décidait d'inviter à un banquet les Représentants des Puissances, il est bien entendu que ce banquet devra avoir lieu dans une des salles du Palais Impérial et que Sa Majesté devra y assister en personne.

7.°—En un mot, le cérémonial adopté par la Chine à l'égard des Représentants Etrangers ne pourra être, en aucun cas, différent de celui qui résulte d'une parfaite égalité entre les Pays concernés et la Chine, sans aucune perte de prestige de part et d'autre.

Pour copie conforme :

(Signé.) A. D'ANTHOUARD.
(„) B. KROUPENSKY.
(„) REGINALD TOWER.
(„) G. v. BOHLEN u. HALBACH.

NOTE COLLECTIVE.

Au cours des mois de Mai, Juin, Juillet et Août de la présente année, des désordres graves ont éclaté dans les provinces septentrionales de la Chine, et des crimes sans précédent dans l'histoire de l'humanité, crimes contre le droit des gens, contre les lois de l'humanité et contre la civilisation ont été commis dans des circonstances particulièrement odieuses. Les principaux de ces crimes sont les suivants :

1° Le 20 Juin, Son Excellence le Baron von Ketteler, Ministre d'Allemagne, se rendant au Tsongli-Yamen, était assassiné, dans l'exercice de ses fonctions, par des soldats de l'armée régulière, agissant en vertu d'ordres de leurs chefs.

2° Le même jour, les légations étrangères étaient attaquées et assiégées. Ces attaques se poursuivirent sans interruption jusqu'au 14 Août, date à laquelle l'arrivée des troupes étrangères y mit fin. Elles furent commises par des soldats réguliers qui se joignirent aux Boxeurs et obéissaient à des ordres de la Cour envoyés du Palais Impérial. Dans le même temps, le Gouvernement chinois faisait déclarer officiellement par ses Représentants auprès des Puissances qu'il se portait garant de la sécurité des légations.

3° Le 11 Juin, M. Sougiyama, chancelier de la Légation du Japon, accomplissant une mission officielle, a été tué par des réguliers, aux portes de la ville.

A Pékin et dans plusieurs provinces, des étrangers ont été assassinés, torturés ou attaqués par des Boxeurs et des troupes régulières, et n'ont dû leur salut qu'à leur résistance acharnée. Leurs établissements ont été pillés et détruits.

4° Les cimetières étrangers, à Pékin notamment, ont été profanés, les tombes ouvertes, les ossements dispersés.

Ces événements ont amené les Puissances étrangères à envoyer leurs troupes en Chine, afin de protéger l'existence de leurs Représentants et de leurs nationaux, et de rétablir l'ordre. Dans leur marche sur Pékin, les armées alliées se sont heurtées à la résistance des armées chinoises et ont dû la vaincre par la force.

La Chine ayant reconnu sa responsabilité, témoigné ses regrets et manifesté le désir de voir cesser la situation créée par les désordres dont il s'agit, les Puissances ont résolu d'accéder à sa demande aux conditions irrévocables énumérées ci-après, qu'elles jugent indispensables pour réparer les crimes commis et en prévenir le renouvellement.

1 *a)* Envoi à Berlin d'une mission extraordinaire conduite par un Prince impérial, pour exprimer les regrets de S. M. l'Empereur de Chine et du Gouvernement chinois au sujet de l'assassinat de feu S. E. le Baron von Ketteler, Ministre d'Allemagne;

b) Erection sur le lieu de l'assassinat d'un monument commémoratif, digne du rang du défunt, portant une inscription en langues latine, allemande et chinoise qui exprimera les regrets de l'Empereur de Chine à propos du meurtre commis;

2 *a)* La peine la plus sévère, conforme à leurs crimes, pour les personnages désignés dans le Décret du 25 septembre 1900 et ceux que les Représentants des Puissances indiqueront ultérieurement;

b) Suspension de tous les examens officiels pendant 5 ans dans toutes les villes où des étrangers ont été massacrés ou ont subi des traitements cruels.

3 Le Gouvernement chinois accordera au Gouvernement japonais une réparation honorable pour l' assassinat de M. Sougiyama, chancelier de la Légation du Japon.

4 Un monument expiatoire sera érigé par le Gouvernement chinois dans chacun des cimetières étrangers ou internationaux qui ont été profanés et dont les tombes ont été détruites.

5 Maintien, dans des conditions à régler entre les Puissances, de l'interdiction de l'importation des armes ainsi que du matériel servant exclusivement à la fabrication des armes et des munitions.

6 *a)* Indemnités équitables pour les Etats, les sociétés, les particuliers, ainsi que pour les Chinois qui ont souffert, au cours des derniers événements, dans leur personne ou dans leurs biens, par le fait qu'ils étaient au service d'étrangers.

b) La Chine prendra des mesures financières acceptables pour les Puissances, afin de garantir le payement desdites indemnités et le service des emprunts.

7 Droit pour chaque Puissance de constituer une garde permanente pour sa légation, et de mettre en état de défense le quartier diplomatique. Les Chinois n'auront pas le droit de résider dans ce quartier.

8 Les forts de Takou et ceux qui pourraient empêcher les libres communications entre Pékin et la mer seront rasés.

9 Droit d'occuper militairement certains points à déterminer par un accord entre les Puissances pour maintenir les communications libres entre la capitale et la mer.

10 *a)* Le Gouvernement chinois fera afficher pendant 2 ans, dans toutes les sous-préfectures, un Décret Impérial portant:

Défense perpétuelle, sous peine de mort, de faire partie d'une société anti-étrangère;

Enumération des peines qui auront été infligées aux coupables, y compris la suspension de tous les examens officiels dans les villes où des étrangers ont été massacrés ou ont subi des traitements cruels.

b) Un Edit Impérial sera rendu et publié dans tout l'Empire déclarant que tous les Gouverneurs généraux, Gouverneurs et fonctionnaires provinciaux ou locaux seront responsables de l'ordre dans leurs circonscriptions, et qu'en cas de nouveaux troubles anti-étrangers, ou encore d'autres infractions aux traités, qui n'auraient pas été immédiatement réprimés et dont les coupables n'auraient pas été punis, ces fonctionnaires seront immédiatement révoqués sans pouvoir être appelés à de nouvelles fonctions ni recevoir de nouveaux honneurs.

11 Le Gouvernement chinois s'engage à négocier les amendements jugés utiles par les Gouvernements étrangers aux traités de commerce et de navigation et les autres sujets touchant aux relations commerciales, dans le but de les faciliter.

12 Le Gouvernement chinois s'engage à réformer l'office des Affaires Etrangères et à modifier le cérémonial de cour relatif à la réception des Représentants étrangers, dans le sens que les Puissances lui indiqueront.

Jusqu' à ce que le Gouvernement chinois se soit conformé, à la satisfaction des Puissances, aux conditions susmentionnées, ne seront pas à même de laisser les soussignés entrevoir la fin de l'occupation de Pékin et la province du Tcheli par les troupes internationales.

Pékin, le 22 Décembre 1900.

Les Plénipotentiaires

D'ALLEMAGNE	(Signé)	A. VON MUMM.
D'AUTRICHE-HONGRIE	(„)	M. CZIKANN.
DE BELGIQUE	(„)	JOOSTENS.
D'ESPAGNE	(„)	B. J. DE COLOGAN.
DES ETATS-UNIS D'AMERIQUE	(„)	E. H. CONGER.
DE FRANCE	(„)	S. PICHON.
DE GRANDE-BRETAGNE	(„)	ERNEST SATOW.
D' ITALIE	(„)	SALVAGO RAGGI.
DU JAPON	(„)	T. NISSI.
DES PAYS-BAS	(„)	F. M. KNOBEL.
DE RUSSIE	(„)	MICHEL DE GIERS.

Pékin, le 7 Janvier 1901.

Messieurs les Plénipotentiaires :

J'ai l'honneur d'informer V. A. et V. E. que les Plénipotentiaires étrangers ont constaté la validité des pleins pouvoirs que vous leur avez remis dans la séance dn 24 Décembre dernièr. Mes collègues me chargent en outre de vous accuser réception de votre communication officielle du 30 Dècembre, contenant le Décret par lequel. S. M. l'Empereur déclare accepter dans leur entier les douze articles de la note qui vous a été remise le 24 du même mois.

Les Plénipotentiaires étrangers prenant acte de cette acceptation me charge de vous envoyer le protocole ci-joint afin qu'il soit signé par vous. Ils vous prient également de

vouloir bien envoyer à chaque légation un exemplaire authentique du Décret revêtu du Scéau Impérial. De cette manière l'acte impérial dont nous avons pris connaissance avec satisfaction aura reçu sa forme régulière, et les conditions irrévocables étant ainsi hors de discussion, nous serons en mesure d'examiner avec vous les questions de détail qui se rattachent à leur application.

Aussitôt que les Plénipotentiaires étrangers auront reçu le Décret revêtu du Sceau Impérial et le protocole ci-joint avec les signatures de V. A. et V. E., ils s'empresseront de vous indiquer la date la plus rapprochée pour la réunion que vous avez demandée. Ils vous seront obligés de vouloir bien leur écrire les questions que vous croiriez devoir poser afin qu'ils puissent s'entendre sur les réponses à faire, et éviter de la sorte une perte de temps.

Je saisis cette occasion pour réitérer à V. A. et V. E. les assurances de ma haute considération.

De Cologan.

SON ALTESSE LE PRINCE CHING
et
SON EXCELLENCE LI HONG-TCHANG
PLENIPOTENTIAIRES etc. etc.

PROTOCOLE.

A la date du 24 Décembre 1900, les Plénipotentiaires d'Allemagne, d'Autriche-Hongrie, de Belgique, d'Espagne, des Etats-Unis d'Amérique, de France, de Grande-Bretagne, d'Italie, du Japon, des Pays-Bas, de Russie, Nous ont adressé la Note suivante:

(Voir la Note Collective ci-dessus mentionnée).

Nous nous sommes empressés de transmettre le texte intégral de cette Note à Sa Majesté l'Empereur qui, après en avoir pris connaissance, a rendu le Décret suivant:

"Nous avons pris connaissance de tous les télégrammes de Y-K'oang et de Li Hong-
" tchang. Il convient que Nous acceptions, dans leur entier, les douze articles qu'ils
" Nous ont soumis."

" Respect à ceci ! "

En conséquence,

Nous, K'ing, Prince du premier rang, Plénipotentiaire, Président du Conseil des Affaires Etrangères,

Et

Li, Comte du premier rang, Sou y, Plénipotentiaire, Tuteur de l'Héritier Présomptif, Grand Secrétaire de la salle du Trône, Ouen-Hoa-tien, Ministre du Commerce, Surintendant des ports du Nord, Gouverneur général du Tcheli,

déclarons accepter, dans leur entier, les douze articles dont nous avons été chargés d'assurer la transmission à Sa Majesté l'Empereur.

En foi de quoi, nous avons signé le présent protocole, et nous transmettons aux Plénipotentiaires étrangers une copie de l'Edit de Sa Majesté l'Empereur, revêtue du Sceau Impérial.

Il est entendu qu'en cas de contestation, ce sera le texte français qui fera foi.

A Pékin, le 16 Janvier 1901.

(Signé) Y-K'OANG.
(„) LI HONG-TCHANG.

CONGO.

DÉCLARATION D'AMITIÉ ET D'ETABLISSEMENT.

Signée à Bruxelles le 17e jour du 1er mois de la 33e année de Meiji (1900); *Ratifiée le 25e jour du 4e mois de la 33e année de Meiji* (1900); *Ratifications échangées à Bruxelles le 9e jour du 7e mois de la 33e année de Meiji* (1900); *promulguée le 24e jour du 7e mois de la 33e année de Meiji* (1900).

Sa Majesté l'Empereur du Japon, et

Sa Majesté le Roi des Belges, souverain de l'Etat Indépendant du Congo.

Animés du désir d'établir des relations entre l'Empire du Japon et l'Etat Indépendant du Congo, ont résolu de conclure entre Eux une Déclaration d'amitié et d'établissement et ont nommé, à cet effet, pour Leurs Plénipotentiaires :

Sa Majesté l'Empereur du Japon,

Le Sieur Itchiro Motono, Shôgoî, Docteur en Droit, décoré de la 5e classe de l'Ordre Impérial du Soleil Levant et de la 4e classe du Trésor Sacré, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur du Japon près Sa Majesté le Roi des Belges,

Et Sa Majesté le Roi des Belges, Souverain de l'Etat Indépendant du Congo,

Le Sieur van Eetvelde (Baron Edm.),

Commandeur de l'Ordre de Léopold, Grand Officier de la Légion d'Honneur, Grand Cordon des Ordres du Christ de Portugal, de Saint Grégoire le Grand, Chevalier de 2e classe avec plaque de l'Ordre de la Couronne Royale de Prusse, etc. etc., Secrétaire d'Etat de l'Etat Indépendant du Congo ;

Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants :

ARTICLE I.

Il y aura une paix perpétuelle et amitié constante entre l'Empire du Japon et l'Etat Indépendant du Congo, comme aussi entre les sujets respectifs. (476)

ARTICLE II.

Il y aura entre les territoires des deux Hautes Parties contractantes, liberté réciproque de commerce et de navigation. (476)

ARTICLE III.

Pour tout ce qui concerne le droit de résidence et de voyage, la possession des immeubles, biens et effets mobiliers, de quelque espèce que ce soit, la transmission des meubles ou immeubles par succession testamentaire ou autre, et le droit de disposer, de quelque manière que ce soit, des biens mobiliers et immobiliers de toutes sortes qu'ils peuvent légalement acquérir, les sujets de chacune des deux Parties contractantes jouiront, dans les territoires et possessions de l'autre, des mêmes priviléges, libertés, droits et ne seront soumis, sous ce rapport, à aucuns impôts ou charges plus élevés que ceux qui sont ou seront imposés aux sujets ou citoyens de la nation la plus favorisée. (476)

ARTICLE IV.

Les Hautes Parties contractantes conviennent qu'en tout ce qui concerne le commerce et la navigation, tout privilége, faveur ou immunité que l'une ou l'autre des Parties contractantes a déjà accordé ou accorderait à l'avenir au Gouvernement, aux navires ou aux sujets ou citoyens de tout autre Etat, sera étendu immédiatement et sans condition au Gouvernement, aux navires ou aux sujets de l'autre Partie contractante, leur intention étant que le commerce et la navigation de chaque pays soient placés à tous égards par l'autre sur le pied de la nation la plus favorisée. (477)

ARTICLE V.

La présente Déclaration entrera en vigueur aussitôt que les ratifications en seront échangées et restera valable jusq'à ce qu'elle soit remplacée par un traité de commerce et de navigation à conclure dans les trois ans à partir de la ratification de la présente Déclaration. A défaut de traité de commerce et de navigation, chacune des Hautes Parties contractantes aura le droit, à un moment quelconque, après que deux ans se seront écoulés depuis l'entrée en vigueur de cette Déclaration, de notifier à l'autre son intention d'y mettre fin, et à l'expiration de douze mois après cette notification, cette Déclaration cessera et finira entièrement. (477)

ARTICLE VI.

La présent Déclaration sera ratifiée et les ratifications en seront échangées à Bruxelles aussitôt que possible.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Déclaration et y ont apposé leurs cachets. (477)

Fait à Bruxelles, en double exemplaire, le dix septième jour du premier mois de la trente troisième année de Meiji, correspondant au dix septième jour du mois de janvier de l'an mil neuf cent.

(L. S.) I. MOTONO. (L. S.) Bon VAN EETVELDE.

DANEMARK.

TREATY OF COMMERCE AND NAVIGATION

Signed at Copenhagen, 19th day of 10th month, 28th year of Meiji (1895); *Ratified 22nd day of 2nd month, 29th year of Meiji* (1896); *Ratifications exchanged at Copenhagen, 6th day of 5th month, 29th year of Meiji* (1896); *and Promulgated 16th day of 5th month, 29th year of Meiji* (1896).

His Majesty the Emperor of Japan and His Majesty the King of Denmark, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision based upon principles of equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say: His Majesty the Emperor of Japan, Akabane Shiro, Shogoi, Fifth Class of the Imperial Order of the Sacred Treasure, His Majesty's Minister Resident at the Royal Danish Court, and His Majesty the King of Denmark, Kjeld Thor Tage Otto Baron Reedtz Thott, Commander of Danebrog and Danebrogsmand, His Majesty's Chamberlain, President of the Council of the Ministers and Minister for Foregin Affairs, &c., &c.;

Who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit

and defence of their rights ; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

In whatever relates to rights of residence and travel ; to the possession of goods and effects of any kind ; to the succession to personal estate by will or otherwise, and the disposal of property of any sort and in any manner whatsoever, which they may lawfully acquire, the subjects of each Contracting Party, shall enjoy in the territories of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation.

The subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever in the army, navy, national guard or militia ; from all contributions imposed in lieu of personal service ; and from all forced loans or military exactions or contributions. (479)

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the dominions of the two High Contracting Parties.

The subjects of each of the Contracting Parties may trade in any part of the dominions of the other by wholesale or retail in all kinds of produce, manufactures and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects ; and they may there own or hire and occupy houses and warehouses, and lease land for

residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other, which are, or may be, opened to foreign commerce, and shall enjoy,respectively, the same treatmen in matters of commerce and navigation as native subjects, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects. It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the special laws, ordinances and regulations with regard to trade, police and public security in force in each of the two countries. (480)

ARTICLE III.

The dwellings, warehouses and shops of the subjects of each of the High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for puposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects of the country. (481)

ARTICLE IV.

No other higher duties shall be imposed on the importation into the dominions of His Majesty the King of Denmark of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions of His Majesty the King of Denmark, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions

and possessions of either of the High Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (481)

ARTICLE V.

No other or higer duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country. (482)

ARTICLE VI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities and drawbacks. (482)

ARTICLE VII.

All articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Danish vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the King of Denmark in Danish vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Danish vessels. Such reciprocal equality of treat-

ment shall take effect without distinction, whether such articls come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions or possessions of either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese or in Danish vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power. (482)

ARTICLE VIII.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or etablishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination. (483)

ARTICLE IX.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (483)

ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of Denmark, respectively. It is,

however, understood that Japanese subjects in the dominions and possessions of His Majesty the King of Denmark and Danish subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the King of Denmark and a Danish vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port and continue her voyage to the other port or ports of destination, where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and custom-house regulations of the two countries.

The Japanese Government, however, agrees to allow Danish vessels to continue as heretofore for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata and Ebisu-minato. (483)

ARTICLE XI.

Any ship-of-war or merchant-vessel of either of the High Contracting Parties, which may be compelled by stress of weather or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of the occurrence, or if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of His Majesty the King of Denmark shall take place in accordance with the laws, ordinances and regulations of Denmark; and, reciprocally, all measures of salvage relative to Danish vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the laws, ordinances and regulations of Japan.

Such stranded or wrecked ship or vessel and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses, which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (484)

ARTICLE XII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to Danish law, are to be deemed Danish vessels, shall, for the purposes of this Treaty, be deemed Japanese and Danish vessels, respectively. (486)

ARTICLE XIII.

If any seaman should desert from any vessel-of-war or merchant-ship belonging to either of the High Contracting Parties within the territory of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such deserter, on application to that effect being made to them by the Consul of the country to which the vessel or ship of the deserter may belong, or by the deputy or representative of the Consul.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place. (486)

ARTICLE XIV.

The High Contracting Parties agree that in all that concerns commerce and navigation, any privilege, favour or immunity, which either Contracting Party has actually granted or may hereafter grant to the Government, ships, subjects or citizens of any other State shall be extended immediately and unconditionally to the Government, ships and subjects of the other Contracing Party ; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (486)

ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents, in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties, without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities, which are, or may hereafter be, granted to Consular officers of the most favoured nation. (486)

ARTICLE XVI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by the law. (487)

ARTICLE XVII.

The stipulations of the present Treaty shall be applicable to the Kingdom of Denmark, the islands of Faroe and Iceland. Equally the Articles I., II., III., X., XI., XII., XIII., XV., XVI., XVII., XVIII., XIX. and XX. shall be applicable to the Danish West-Indian islands. (487)

ARTICLE XVIII.

The present Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Friendship, Commerce and Navigation, and Additional Articles of the 7th day of the 12th month of the 2nd year of Keiou, corresponding to the 12th day of January 1867 and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Treaty, Additional Articles, Arrangements and Agreements shall cease to be binding; and, in consequence, the jurisdiction then exercised by Danish Courts in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by Danish subjects as a part of, or appurtenant to, such jurisdiction, shall absolutely and without notice cease and determine, and therafter all such jurisdiction shall be assumed and exercised by Japanese Courts. (487)

ARTICLE XIX.

The present Treaty shall not take effect until the sixteenth day of the seventh month of the thirty-second year of Meiji, the sixteenth July, one thousand eight hundred and ninety-nine. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to the Government of His Majesty the King of Denmark of its wish to have the same brought into operation. Such notice may be given at any time after the

sixteenth day of the seventh month of the thirty-first year of Meiji, the sixteenth July, one thousand eight hundred and ninety-eight.

The Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine. (488)

ARTICLE XX.

The present Treaty shall be ratified by the High Contracting Parties, and the ratifications thereof shall be exchanged at Copenhagen within eight months after its signature.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed the seal of their arms. (488)

Done at Copenhagen, in duplicate, this 19th day of the 10th month of the 28th year of Meiji, corresponding to the 19th day of October in the year of our Lord one thousand eight hundred and ninety-five.

(Signed) AKABANE SHIRO. [L. S.] (Signed) REEDTZ THOTT. [L. S.]

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government of His Majesty the King of Denmark, deeming it advisable in the interests of both Countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have through their respective Plenipotentiaries agreed upon the following stipulations:

1.—It is agreed by the Contracting Parties that one month after the ex-

change of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by the subjects of His Majesty the King of Denmark shall cease to be binding. From the same date the General Statutory Tariff of Japan for the time being in force shall subject to the provisions of Article XIX. of the Treaty of the 7th day of the 12th month of the 2nd year of Keiou, corresponding to the 12th day of January 1867 at present subsisting between the Contracting Parties, so long as said Treaty remains in force, and thereafter, subject to the provisions of Article IV. and Article XIV. of the Treaty signed this day, be applicable to goods and merchandize, being the growth, produce or manufacture of the dominions and possessions of His Royal Danish Majesty upon importation into Japan. But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of patent, trade-mark or copy-right laws of Japan; or any other article which for sanitary reasons or in view of public security or morals, might offer any danger. (489)

2.—His Royal Danish Majesty's Government gives its consent to the complete incorporation from the date the Treaty of Commerce and Navigation signed this day comes into force, of the several foreign settlements with the respective Japanese communes. When such incorporation is effected, such settlements shall form integral portions of the municipal system of Japan; the competent Japanese Authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the municipal funds and property belonging to such settlements shall at the same time be transferred to the said Japanese Authorities. (489)

3.—The Japanese Government, pending the opening of the country to Danish subjects, agrees to extend the existing passport system in such a manner as to allow Danish subjects, on the production of a certificate of recommendation from the Danish Representative in Tokio, or from any of His Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any *port* [part] of the country, and for any period not exceeding twelve months from the Imperial Japanese Foreign Office in Tokio,

or from the Chief Authorities in the Prefecture in which an open port is situated, it being understood that the existing Rules and Regulations governing Danish subjects who visit the interior of the Empire are to be maintained. (490)

4.—The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when said Treaty is ratified, the agreements contained in the Protocol shall also equally be considered as approved without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time said Treaty ceases to be binding.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed the seal of their arms. (490)

Done at Copenhagen, in duplicate, this 19th day of the 10th month of the twenty-eighth year of Meiji, corresponding to the 19th day of October in the year of our Lord one thousand eight hundred and ninety-five.

(Signed) AKABANE SHIRO. [L. S.] (Signed) REEDTZ THOTT. [L. S.]

ESPAGNE.

TRATADO DE AMISTAD Y RELACIONES GENERALES.

Firmado en Madrid, el 2° dia del 1er. mes del 30° año de Meiji (el 2 de Enero de 1897); Ratificado el 17° dia del 6° mes del 30° año de Meiji (el 17 de Junio de 1897); Ratificaciones cangeadas en Tokio el 9° dia del 9° mes del 30° año de Meiji (el 9 de Setiembre de 1897); y Promulgado el 16° dia del 9° mes del 30° año de Meiji (el 16 de Setiembre de 1897).

Su Majestad el Emperador del Japón, y Su Majestad el Rey de España, y en Su Real Nombre Su Majestad la Reina Regente del Reino, igualmente animados del mismo deseo de mantener la buena inteligencia que felizmente existe entre Ellos, extendiendo y aumentando las relaciones entre Sus respectivos Estados, y persuadidos de que el mejor medio de alcanzar este fin es la revisión del Tratado de Amistad, Comercio y Navegación hasta ahora vigente entre los dos países, han acordado proceder á esta revisión sobre la base de la equidad y del interés recíproco, y han nombrado á este efecto sus Plenipotenciarios, á saber:

Su Majestad el Emperador del Japón

TREATY OF FRIENDSHIP AND GENERAL INTERCOURSE.

Signed at Madrid, 2nd day of 1st month, 30th year of Meiji (1897); Ratified 17th day of 6th month, 30th year of Meiji (1897); Ratifications exchanged at Tokio, 9th day of 9th month, 30th year of Meiji (1897); and Promulgated 16th day of 9th month, 30th year of Meiji (1897).

His Majesty the Emperor of Japan and His Majesty the King of Spain, and in His Royal Name Her Majesty the Queen Regent of the Realm, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot be better accomplished than by revising the Treaty of Friendship, Commerce and Navigation hitherto existing between the two countries, have resolved to complete such a revision based upon principles of equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan,

á Sinichiro Kurino, Shochii, condecorado con la Segunda Clase de la Órden del Sol Naciente &c., &c., Su Enviado Extraordinario y Ministro Plenipotenciario cerca de Su Majestad el Rey de Italia, y

Su Majestad el Rey de España, y en Su Real Nombre Su Majestad la Reina Regente del Reino á Don Cárlos O'Donell y Abreu, Duque de Tetuan, Marqués de Altamira, Conde de Lucena, Grande de España de primera clase, Senador del Reino, General de Brigada, Gentilhombre de Cámara con ejercicio y servidumbre, Caballero del Collar de la Real y distinguida Órden de Cárlos III, Gran Cruz de la Órden Militar de San Hermenegildo, Collar de la Torre y la Espada de Portugal, Gran Cruz de San Esteban de Hungría, de San Mauricio y San Lázaro de Italia, Gran Cordon de Leopoldo de Bélgica, y del Osmanié de Turquía, Ministro de Estado, &c., &c.;

Los cuales, después de haberse comunicado sus Plenos Poderes, hallados en buena y debida forma, han acordado y convenido los Artículos siguientes:

ARTÍCULO I.

Los súbditos de cada una de las dos Altas Partes contratantes tendrán completa libertad para penetrar, viajar ó residir en cualquier lugar del terri-

Shinichiro Kurino, Shoshii, Second Class of the Imperial Order of the Rising Sun, &c., &c., His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of Italy, and

His Majesty the King of Spain and in His Royal Name Her Majesty the Queen Regent of the Realm, Don Cárlos O'Donell y Abreu, Duke of Tetuan, Marquis of Altamira, Count of Lucena, Grandee of Spain, Senator of the Realm, Brigadier-General, His Most Catholic Majesty's Chamberlain, decorated with the Collar of the Royal and Distinguished Order of Charles III., Knight Grand Cross of the Military Order of St. Hermenegild, decorated with the Collar of the Order of the Tower and Sword of Portugal, Knight Grand Cross of the Orders of St. Stephen of Hungary, of S. S. Maurice and Lazarus of Italy, of Leopold of Belgium, of the Osmanieh, &c., &c., His Minister of State;

Who having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel or reside in any part of the territories of the other

torio de la otra, y gozarán de plena y completa protección en sus propiedades y personas.

Tendrán libre y fácil acceso á los Tribunales para persecución y defensa de sus derechos y disfrutarán de la misma manera que los nacionales, la facultad de escoger y emplear Procuradores, Abogados y Mandatarios al objeto de demandar ó defender sus derechos ante dichos Tribunales; y en todas las demás materias relacionadas con la Administración de Justicia gozarán de todos los derechos y privilegios concedidos á los nacionales.

En cuanto se refiere al derecho de transitar y residir; á la posesión de bienes y efectos de cualquiera clase; á la transmisión de bienes muebles por sucesión testamentaria ó en otra forma, y al derecho de disponer en cualquier forma que sea de los bienes de todas clases que puedan adquirir legalmente los súbditos de cada una de las dos Altas Partes contratantes, gozarán en el territorio de la otra, de los mismos privilegios, libertades y derechos, y no estarán sometidos en este concepto á ninguna carga ó impuesto más elvado que los súbditos ó ciudadanos de la Nación más favorecida. Los súbditos de cada una de las dos Altas Partes contratantes gozarán en el territorio de la otra del derecho be ejercer su culto, conforme á las

Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort in manner whatsoever, which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in this respect than the subjects or citizens of the most favoured nation. The subjects of each of the High Contracting Parties shall enjoy in the territories of the other the right to exercise their worship, subject to the Laws, Ordinances and Regulations of the respective countries, and also the right

Leyes, Ordenanzas y Reglamentos del país, y así mismo del derecho de inhumar á sus respectivos nacionales, bajo las mismas condiciones y conformándose á sus costumbres religiosas en los lugares convenientes y apropiados que se habiliten y conserven á este efecto.

No serán obligados bajo pretexto alguno, á pagar tasas ó cargas diferentes ó más elevadas que las que se hallen establecidas ó se establezcan para los nacionales, ó para los súbditos ó ciudadanos de la Nación más favorecida. (491)

ARTÍCULO II.

Los súbditos ó ciudadanos de cada una de las Altas Partes contratantes que residan en el territorio de la otra, no serán adscritos á ningun servicio militar obligatorio, sea en el ejército, en la marina ó en la guardia nacional ó milicia; quedarán exentos de todas las contribuciones impuestas en sustitución del servicio personal, de todos los empréstitos forzosos y de todas las exacciones ó contribuciones militares. (492)

ARTÍCULO III.

Habrá libertad recíproca de comercio y de navegación entre los territorios de las dos Altas Partes contratantes. Los súbditos de cada una de las Partes

of burying their respective countrymen under the same condition according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled under any pretext whatsoever to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects and citizens of the most favoured nation. (491)

ARTICLE II.

The subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions. (492)

ARTICLE III.

There shall be reciprocal freedom of commerce and navigation between the territories of the two High Contracting Parties.

contratantes podrán ejercitar en cualquier parte del territorio de la otra el comercio al por mayor ó menor de toda clase de productos, objetos fabricados ó mercancías de licito comercio, sea personalmente, sea por medio de representantes, y tanto solos como en sociedad con extranjeros ó con súbditos del país; podrán poseer, alquilar y ocupar en él las casas, fábricas, almacenes, tiendas y locales que les sean necesarios, y alquilar tierras para sus residencias ó para objetos comerciales, todo sujetándose ál as Leyes y á los Reglamentos de Policía y de Aduanas del país como los mismos nacionales. Tendrán plena libertad de trasladarse con sus buques y cargamentos, á todos los puntos, puertos y rios del territorio de la otra, que se hallen abiertos ó se abran al comercio extranjero y gozarán recíprocamente en materia de comercio y de navegación del mismo trato que los nacionales, ó súbditos ó ciudadanos de la Nación más favorecida, sin estar sujetos á pagar ningun impuesto, tasa ó derecho de cualquier naturaleza ó denominación que sea, ya se perciba á nombre y en beneficio del Gobierno, de los funcionarios públicos, de los particulares y de cualquier corporación ó establecimiento que sea, diferente ó más elevado que los impuestos á los

The subjects of each of the High Contracting Parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufactures and merchandize of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native subjects; and they may there own or hire and occupy the houses, manufactories, warehouses, shops and premises, which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the Laws, Police and Customs Regulations of the country like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other, which are, or may be, opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation.

nacionales, ó á los súbditos ó ciudadanos de la Nación más favorecida.

Queda, sin embargo, entendido que las estipulaciones contenidas lo mismo en este artículo que en los dos anteriores, no derogan en nada las Leyes, Ordenanzas y Reglamentos especiales en materia de Comercio, Policía y de Seguridad pública que rijan en cada uno de los dos países y sean aplicables á los extrangeros en general. (493)

ARTÍCULO IV.

Las habitaciones, fábricas, almacenes y tiendas de los súbditos de cada una de las Altas Partes contratantes, situados en el territorio de la otra y los locales destinados á viviendas ó al comercio, serán respetados.

No será permitido proceder á pesquisas ó visitas domiciliarias en las habitaciones, almacenes y tiendas, ni examinar ó inspeccionar los libros, papeles ó cuentas, salvo en las condiciones y formas prescritas por las Leyes, Ordenanzas y Reglamentos aplicables á los nacionales. (493)

ARTÍCULO V.

Los súbditos de cada una de las Altas Partes contratantes, gozarán en el territorio de la otra exención de todo derecho de tránsito, y gozarán perfecta igualdad de trato con los

It is, however, understood that the provisions of the present and the two preceding Articles in no way annul the Laws, Ordinances and special Regulations respecting Commerce, Police and Public Security in force in the respective countries applying to foreigners in general. (493)

ARTICLE IV.

The dwellings, manufactories, warehouses and shops of the subjects of each of the High Contracting Parties in the territory of the other and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the Laws, Ordinances and Regulations for subjects of the country. (493)

ARTICLE V.

The subjects of each of the High Contracting Parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native subjects

nacionales en todo lo que concierne á almacenajes, primas, facilidades y "drawacks."

No se impondrá á la importación en el territorio de una de las Altas Partes contratantes de una mercancía procedente del territorio de la otra derecho alguno de consumo, general ó local, más elevado que el que se imponga á las mercancías similares del país respectivo.

Se podrán aumentar los derechos de importación sobre cualquier artículo ó mercancía en cada uno de los dos países en proporción al recargo impuesto á los artículos ó mercancías similares por el sistema de los derechos interiores. (494)

in all that relates to warehousing, bounties, facilities and drawbacks.

No merchandize of the territories of either of the Contracting Parties imported into the territory of the other shall be liable to pay higher excise or *octroi* dues, whether national or local, than those imposed upon the similar merchandize of native production.

Import duties on any particular goods or merchandize may be increased in either country in proportion to the burden imposed upon the similar goods or merchandize by the system of internal duties. (494)

ARTÍCULO VI.

Todos los artículos que son ó pueden ser legalmente importados en los puertos japoneses en buques japoneses, podrán así mismo ser importados en buques españoles; en este caso, tales artículos no deberán pagar ningun derecho ó carga de cualquier denominación que sea distinta ó mayor que los impuestos á los mismos géneros importados en buques japaneses. Recíprocamente, todos los articulos que son ó puedan ser legalmente importados en los puertos españoles por buques españoles, podrán del mismo modo ser importados en dichos puertos

ARTICLE VI.

All articles which are, or may be, legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Spanish vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are, or may be, legally imported into the ports of the territories of His Majesty the King of Spain in Spanish vessels may likewise be imported into those ports in Japanese vessels, with-

por bupues japoneses; en este caso, estos artículos no tendrán que pagar ningun derecho ó carga diferente ni más elevado que los impuestos sobre los mismos artículos importados por buques españoles.

De la misma manera, habrá perfecta igualdad de trato respecto á la exportación; y así se pagarán los mismos derechos de exportación y se concederán las mismas primas y "drawbacks" en los territorios de cada una de las Altas Partes contratantes, sobre la exportación legal de cualquier artículo, ya se verifique por buques japoneses ó por buques españoles y cualquiera que sea el punto de destino, lo mismo si es un puerto de una de las Partes contratantes ó un puerto de una tercera Potencia. (494)

ARTÍCULO VII.

No se impondrá en los puertos de cada uno de los dos países á los buques del otro, ningun derecho de tonelaje, puerto, pilotage, faro, cuarentena ú otros análogos ó similares de cualquiera naturaleza y denominación que sean, ya se perciban á nombre y provecho del Gobierno, de los funcionarios públicos, particulares corporaciones ó establecimientos de cualquier clase, que no se impongan igualmente y con las mismas condiciones y en

out being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Spanish vessels.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese or in Spanish vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power. (494)

ARTICLE VII.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the territories of either country upon the vessels of the other country, which shall not equally and under the same

igual caso á los buques nacionales en general ó á los buques de la Nacion más favorecida. Esta igualdad de trato se aplicará recíprocamente á los buques respectivos cualquiera que sea el pnnto de procedencia y el destino de los mismos. (495)

ARTÍCULO VIII.

En todo lo concerniente á la colocación, carga y descarga de los bnques en los puertos, dársenas, docks, bahias ó rios del territorio de los dos países, no se concederá privilegio alguno á los buques nacionales que no se otorguen igualmente á los buques del otro país, siendo la intención de las Altas Partes contratantes que tambien en este concepto sean tratados los buques respectivos sobre el pié de una perfecta igualdad. (495)

ARTÍCULO IX.

Se exceptúa de las disposiciones del presente Tratado el cabotage en los territorios de ambas Altas Partes contratantes que se regirá respectivamente por las Leyes, Ordenanzas y Reglamentos del Japón y de España.

Queda, sin embargo, entendido que los japoneses en el territorio de Su Majestad el Rey de España y los españoles en el Japón gozarán en este punto de los derechos concedidos ó que

conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply, reciprocally, to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination. (495)

ARTICLE VIII.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the territories of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (495)

ARTICLE IX.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the Laws, Ordinances and Regulations of Japan and Spain, respectively.

It is, however, understood that Japanese subjects in the territories of His Majesty the King of Spain and Spanish subjects in the territories of His Majesty the Emperor of Japan, shall

puedan concederse por estas Leyes, Ordenanzas y Reglamentos á los súbditos á ciudadanos de cualquier otro país.

Todo buque japonés, cargado en el extranjero de un cargamento destinado á dos ó más puertos del territorio de Su Majestad el Rey de España, y todo buque español cargado en el extranjero de mercancías destinadas á dos ó varios puertos del territorio japonés, podrá descargar una parte de su cargamento en un puerto y continuar su viaje para el otro ó los otros puertos de destino donde se halle autorizado el comercio extranjero, con el fin de descargar el resto de su carga de orígen, conformándose siempre á las Leyes y Reglamentos de Aduanas de los dos países.

El Gobierno del Japón, sin embargo, consiente en que los buques españoles, miéntras subsista el presente Tratado, puedan conducir carga entre los existentes puertos abiertos del Imperio exceptuando Osaka, Niigata y Ebisu-Minato. (495)

ARTÍCULO X.

Todo buque de guerra ó mercante de una de las dos Altas Partes contratantes que se vea forzado por mal tiempo ó á causa de cualquier otro

enjoy in this respect the rights which are, or may be, granted under such Laws, Ordinances and Regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the King of Spain, and a Spanish vessel laden in a foreign country, with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan may discharge a portion of her cargo at one port and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the Laws and Custom-house Regulations of the two countries.

The Japanese Government, however, agrees to allow Spanish vessels, for the period of the duration of the persent Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata and Ebisu-minato. (495)

ARTICLE X.

Any ship-of-war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather or by reason of any other

peligro, á abrigarse en un puerto de la otra, tendrá libertad de hacer reparaciones y pertrecharse de las necesarias provisiones y dehacerse á la mar sin pagar otras cargas que las que paguen los buques nacionales. Sin embargo, en el caso en que el capitan del buque mercante se viera en la necesided de vender una parte de su cargamento para pagar los gastos, quedará obligado á conformarse con las Leyes y Reglamentos del lugar donde hubiera arribado.

Si un buque de guerra ó mercante de una de las Partes contratantes, encalla ó naufraga en las costas de la otra, las Autoridades locales informarán al Cónsul General, Cónsul, Vice-Cónsul ó Agente consular del lugar del accidente, y si no lo hubiere, informarán a los funcionarios consulares del distrito más próximo.

Todas las operaciones relativas al salvamento de los buques japoneses naufragados ó encallados en las aguas territoriales de Su Majestad el Rey de España, se verificarán conforme á las Leyes, Ordenanzas y Reglamentos españoles, y recíprocamente todas las medidas de salvamento relativas á los buques españoles naufragados ó encallados en las aguas territoriales del Japón se adoptarán conforme á las Leyes, Ordenanzas y Reglamentos japoneses.

distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of the occurrence, or if there be no such Consular officer they shall inform the Consular officer of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of His Majesty the King of Spain shall take place in accordance with the Laws, Ordinances and Regulations of Spain; and, reciprocally, all measures of salvage relative to Spanish vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance

Los buques de todas clases encallados ó naufragados, todos sus restos y accesorios y pertrechos que les pertenezcan y todos los efectos y mercancías salvados comprendiendo los arrojados al mar, ó los productos de dichos objetos si se vendiesen, así como los papeles encontrados á bordo, se entregarán á sus propietarios ó representantes, cuando los reclamen. En el caso de que estos propietarios ó representantes no se hallarán en el lugar, los objetos ó su precio se entregarán á los Cónsules Generales, Cónsules, Vice-Cónsules ó Agentes consulares respectivos, á su reclamación, en el plazo establecido por las leyes del país, y estos funcionarios consulares propietarios ó representantes, solo pagarán los gastos ocasionados, para la conservación de dichos objetos, así como los de salvamento ú otros á que se hallen sometidos en caso de naufragio, los buques nacionales.

Los efectos y mercancías salvados del naufragio, estarán exentos de todo derecho de Aduana, á ménos que no se despachen para el consume interior, en cuyo caso abonarán los derechos ordinarios.

En el caso de que un buque perteneciente á súbditos de una de las Partes contratantes, naufragará ó encallará

with the Laws, Ordinances and Regulations of Japan.

Such stranded or shipwrecked vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents, upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the

en territorio de la otra, los Cónsules Generales, Cónsules, Vice-Cónsules ó Agentes consulares respectivos estarán autorizados en ausencia del propietario, capitan ú otro representante del propietario, á prestar su auxilio oficial para procurar la asistencia necesaria á los súbditos de los Estados respectivos. Lo mismo sucederá en el caso de que, hallándose presente el propietario, capitan ú otro representante, reclamare dicha asistencia. (496)

ARTÍCULO XI.

Todos los buques que conforme á las leyes japoneses, son considerados como japoneses y todos los buques considerados españoles por las leyes de españa, se considerarán respectivamente como buques japoneses y españoles para los efectos de este Tratado. (498)

ARTÍCULO XII.

Las Autoridades locales prestarán todo el auxilio que permita la ley á los Cónsules Generales, Cónsules, Vice-Cónsules y Agentes consulares de cada una de las Altas Partes contratantes que residan en el territorio de la otra para el arresto y entrega de los desertores de los buques de guerra ó mercantes de sus respectivos países.

Queda entendido que esta estipulación no se aplicará á los súbditos del

territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (496)

ARTICLE XI.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to Spanish law, are to be deemed Spanish vessels, shall for the purposes of this Treaty be deemed Japanese and Spanish vessels, respectively. (598)

ARTICLE XII.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the Contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects of the

país en que tenga lugar la deserción. (498)

ARTÍCULO XIII.

Los viajantes de comercio de cada una de las Altas Partes contratantes gozarán en el territorio de la otra de los mismos derechos y privilegios en materia de patentes que se hayan concedido ó se concedieren en lo sucesivo á los viajantes de comercio de la Nación más favorecida.

Los objetos sometidos á un derecho de entrada ó depósito que sirvan de muestra y sean importados por los expresados viajantes de comercio, gozarán por ambas Partes contratantes, al tiempo de reexportación ó reintegro en depósito, y previas las formalidades de Aduana vigentes, segun las Leyes, Ordenanzas y Reglamentos de los países respectivos, de una restitución de los derechos que deberán abonarse ó depositarse á la entrada. (498)

ARTÍCULO XIV.

Convienen las Altas Partes contratantes en que, en todo lo concerniente al comercio y á la navegación, todo privilegio, favor ó immunidad que cualquiera de las Partes contratantes haya concedido ó concediere en lo sucesivo al Gobierno, buques y súbditos de otras Naciones, se extenderá immediatamente y sin condición al

country where the desertion takes place. (498)

ARTICLE XIII.

The commercial travellers of either of the High Contracting Parties shall enjoy in the territories of the other the same rights and privileges in respect of Patents or Permits as are granted, or may hereafter be granted, to commercial travellers of the most favoured nation.

If such commercial travellers shall have paid any Customs duties or deposited money on importation of sample goods into either country, they shall be entitled, at the time of re-exportation or re-entry into warehouse, to repayment of such duties paid or money deposited, provided the necessary formalities shall have been complied with in accordance with the Customs Laws, Ordinances and Regulations of the respective countries. (498)

ARTICLE XIV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects or citizens of any other State, shall be extended immediately and unconditionally to the Gov-

Gobierno, buques y súbditos de la otra Parte contratante, una vez que es su ánimo que el comercio y navegación de cada Nación se haga con respecto á la otra, sobre la base de la Nación más favorecida.

Queda, sin embargo, entendido que las estipulaciones de este artículo no serán aplicables al régimen arancelario que se haya establecido ó se establezca con otro país cualquiera ni á las ventajas especiales que España reserve á Portugal ó á las Repúblicas hispanoamericanas, siempre que dichas ventajas especiales solo sean extensivas á las Naciones expresadas. (498)

ARTÍCULO XV.

Las dos Altas Partes contratantes podrán nombrar Cónsules Generales, Cónsules, Vice-Cónsules y Agentes consulares en todos los puertos, ciudades y lugares de la otra, excepto en los puntos donde pudieran existir inconvenientes para la admisión de tales Agentes consulares.

Esta excepción no se alegará, sin embargo, á una de las Partes contratantes sin hacerla de igual modo á todas las demás Potencias.

Los Cónsules Generales, Cónsules, Vice-Cónsules y Agentes consulares ejercerán todas sus funciones y gozarán de todos los privilegios, excepciones é

ernment, ships or subjects of the other Contracting Party; it being their intention, that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

It is, however, understood that the stipulation of this Article shall not apply ot arrangements regarding Customs Tariff, that are, or may hereafter be, made respectively with any other countries, nor to the special treatment reserved by Spain to Portugal or to the Spanish-American Republics, provided that such special treatment should only be extended to the said countries. (498)

ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities

immunidades concedidas ó que en la sucesivo se concedieren á los funcionarios consulares de la Nación más favorecida. (499)

ARTÍCULO XVI.

Los súbditos de cada una de las Altas Partes contratantes, gozarán en el territorio de la otra de la misma protección que los nacionales en cuanto se refiera á las patentes, marcas de fábrica y dibujos cumpliendo las formalidades legales. (499)

ARTÍCULO XVII.

Las Altas Partes contratantes, convienen en lo siguiente:

Los diversos barrios extranjeros, se incorporarán á los Municipios japoneses respectivos y desde el momento de su incorporación, formarán parte del sistema municipal del Japón.

Las Autoridades japoneses competentes asumirán, por lo tanto, todas las obligaciones y deberes municipales correspondientes y los fondos y bienes municipales pertenecientes á dichos barrios se transfererán á la vez á dichas Autoridades japonesas.

Cuando la expresada incorporación tenga lugar se confirmarán todos los contratos de arriendo á perpetuidad que existan sobre propiedades situadas en los referidos barrios, no pudiendo imponerse con respecto á ellas condición

which are, or may hereafter be, granted to Consular officers of the most favoured nation. (499)

ARTICLE XVI.

The subjects of each of the High Contracting Parties shall enjoy in the territories of the other the same protection as native subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law. (499)

ARTICLE XVII.

The High Contracting Parties agree to the following arrangement:

The several foreign Settlements in Japan shall de incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements, shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place, the existing leases in perpetuity under which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing

agluna que no se halle estipulada en dichos contratos. Queda, sin embargo, entendido que las Autoridades consulares en los mismos mencionadas serán sustituidas, en todos los casos, por las japonesas.

Todas las tierras que el Gobierno japonés haya anteriormente cedido extentas de arriendo para uso público do los referidos barrios se mantendrán perpetuamente libres de cualquier impuesto ó carga y afectas al uso público á que hayan sido originalmente destinadas salvo el derecho de soberanía. (499)

leases shall be imposed in respect of such property. It is, however, understood that the Consular authorities mentioned in the same are in all cases to be replaced by the Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart. (499)

ARTÍCULO XVIII.

Las estipulaciones del presente Tratado serán aplicables á las posesiones ultramarinas de España en cuanto lo permitan sus leyes especiales. (500)

ARTICLE XVIII.

The stipulations of the present Treaty shall be applicable, as far as the laws permit, to the Spanish Provinces and possessions beyond the seas. (500)

ARTÍCULO XIX.

El presente Tratado sustituirá desde el dia que empiece á regir al de Amistad, Comercio y Navegación del 28° dia del 9° mes del 1er. año de Meiji, cuya fecha corresponde al 12 de Noviembre de 1868, y al Artículo adicional de la misma fecha, así como á cuantos Acuerdos y Convenios subsidiarios celebrados ó existentes entre las Altas Partes contratantes, y desde el mismo dia dichos Tratados, Convenios, Arreglos y Acuerdos dejarán de ser obligato-

ARTICLE XIX.

The present Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Friendship, Commerce and Navigation concluded on the 28th day of the 9th month of the 1st year of Meiji, corresponding to the 12th of November, 1868, and the additional Article of the same date, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such

rios, y en su consecuencia la jurisdicción que hasta ahora venia ejerciéndose por los Tribunales españoles en el Japón y todos los privilegios, excepciones é immunidades especiales de que venian gozando los súbditos españoles, como parte de esta jurisdicción, ó como de ella derivados, cesarán y terminarán en absoluto y sin notificación, correspondiendo á y ejerciéndose desde este momento por los Tribunales japoneses. (500)

ARTÍCULO XX.

El presente Tratado no enturará en vigor hasta el dia 17 del 7° mes del año 32do. de Meiji, cuya fecha corresponde al dia 17 de Julio de 1899. Regirá un año después que el Gobierno de Su Majestad el Emperador del Japón, haya notificado al Gobierno de Su Majestad el Rey de España su intención de ponerle en vigor.

Esta notificación podrá hacerse en cualquier tiempo después del dia 16 del 7° mes del año 31° de Meiji, cuya fecha corresponde al dia 16 de Julio de 1898. El presente Tratado regirá durante doce años, contados desde el dia que comience á regir.

Cualquiera de las dos Altas Partes contratantes tendrá el derecho, pasados once años desde la fecha en que tenga vigor el Tratado, de notificar

Convention, Treaty, Arrangements and Agreements shall cease to be binding, and, in consequence the jurisdiction then exercised by Spanish Courts in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by Spanish subjects as a part of or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts. (500)

ARTICLE XX.

The present Treaty shall not take effect until the 17th day of the 7th month of the 32nd year of Meiji, corresponding to the 17th day of July, 1899. It shall come into force one year after His Imperial Majesty's Goverment shall have given notice to His Most Catholic Majesty's Government of its wish to have the same brought into operation.

Such notice may be given at any time after the 16th day of the 7th month of the 31st year of Meiji, corresponding to the 16th day of July, 1898. This Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice

en cualquier momento á la otra, su intención de poner fin al mismo y doce meses después de la notificación cesará y terminará totalmente. (501)

ARTÍCULO XXI.

El presente Tratado será ratificado y las ratificaciones cangeadas en Tokio tan pronto como sea posible. (501)

En fé de lo cual los Plenipotenciarios respectivos, han firmado el presente Tratado, sellándolo con el sello de sus armas.

Hecho por duplicado, en Madrid, el segundo dia del primer mes del 30° año de Meiji, cuya fecha corresponde al dos de Enero de mil ochocientos noventa y siete de la Era Cristiana.

(L. S.) S. KURINO.
(L. S.) EL DUQUE DE TETUAN.

PROTOCOLO.

El Gobierno de Su Majestad el Emperador del Japón y el Gobierno de Su Majestad el Rey de España, considerando útil al interés de los dos países arreglar ciertas materias especiales que les conciernen mútuamente aparte del Tratado de Amistad y Relaciones

to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine. (501)

ARTICLE XXI

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Tokio as soon as possible. (501)

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Madrid, in duplicate, this second day of the first month of the thirtieth year of Meiji, corresponding to the second day of January, one thousand eight hundred and ninety-seven year of the Christian era.

(L. S.) S. KURINO.
(L. S.) EL DUQUE DE TETUAN.

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government of His Most Catholic Majesty the King of Spain, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of

Generales firmado en esta fecha, han convenido por medio de sus respectivos Plenipotenciarios las estipulaciones siguientes:

1.° Las Altas Partes contratantes concertarán un Convenio especial que regule sobre la base de la reciprocidad los derechos de importación que en el territorio de cada una de las dos Naciones hayan de aplicarse á los productos y procedencias de la otra. (502)

2.° Queda convenido por las Altas Partes contratantes que un mes después de cangeadas las ratificaciones del Tratado firmado en esta fecha, dejará de obligar la Tarifa de Importación hoy vigente en el Japón respecto á los artículos y mercancías importados en el Japón por los súbditos de España. A partir del mismo momento la Tarifa General establecida por la ley interior del Japón se aplicará á los artículos ó mercancías producidos ó manufacturados en el territorio de España y sus Provincias y posesiones de Ultramar á su importación en el Japón con los beneficios concedidos por el artículo 23 del Tratado de 12 de Noviembre de 1868 existente entre las Altas Partes contratantes miéntras subsista vigente dicho Tratado.

Pero ninguna disposición de este

Friendship and General Intercourse signed this day, have through their respective Plenipotentiaries agreed upon the following stipulations:

1. The High Contracting Parties agree to conclude hereafter a special Commercial Convention based upon the principle of reciprocity for the adjustment of the import duties to be levied upon the goods and merchandize of either of the two Contracting Parties upon importation into the other. (502)

2. It is agreed by the High Contracting Parties that one month after the exchange of the ratifications of the Treaty signed this day, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by the subjects of His Most Catholic Majesty the King of Spain shall cease to be binding. From the same date the General Statutory Tariff of Japan, for the time being in force, shall, subject to the provisions of Article XXIII. of the Treaty of November 12th, 1868, at present subsisting between the Contracting Parties, as long as the said Treaty remains in force, be applicable to the goods and merchandize of the territories of Spain and her Provinces and possessions beyond the seas, upon importation into Japan.

But nothing contained in this Pro-

Protocolo tendrá el efecto de limitar el derecho del Gobierno japonés de restringir ó prohibir la importación de drogas, medicinas, alimentos ó bebidas adulteradas, de las estampas, pinturas, libros, tarjetas, grabados litográficos ú otros, y fotografías ú otros artículos indecentes ú obscenos; de los que violen las leyes japonesas sobre patentes, marcas de fábrica ó propiedad literaria, ó de cualquier otro artículo que por razones sanitarias ó de seguridad ó moralidad pública puedan ofrecer algun peligro. (502)

3.° Miéntras el país no se halle abierto al libre acceso de los súbditos españoles, el Gobierno japonés se obliga á dar más ámplia extensión á las actuales disposiciones sobre pasaportes en tal forma que permita á los súbditos españoles portadores de un certificado de recomendación del Representante de Su Majestad Católica en Tokio ó de cualquiera de los Cónsules de España en los puertos abiertos del Japón, obtener pasaporte para cualquier parte del país y por un período que no exceda de doce meses previa solicitud al Ministerio Imperial de Negocios Extrangeros en Tokio ó de las Autoridades superiores de la Prefectura donde un puerto abierto se halle situado; en la inteligencia de que las reclamaciones y prescripciones vigentes respecto á los súbditos españoles que visitan el interior del Empire se han de mantener. (502)

tocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, or any other indecent or obscene articles; articles in violation of patent, trademark or copyright laws of Japan; or any other article which for sanitary reasons or in view of public security or morals might offer any danger. (502)

3. The Japanese Government, pending the opening of the country to Spanish subjects, agrees to extend the existing passport system in such a manner as to allow Spanish subjects, on the production of a certificate from the Spanish Representative in Tokio, or from any of His Most Catholic Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the Chief Authorities in the Prefecture in which an open port is situated; it being understood that the existing Rules and Regulations governing Spanish subjects who visit the interior of the Empire are to be maintained. (502)

rior del Imperio permanecerán en vigor. 502)

4.° El Gobierno del Japón se obliga ántes de la supresión de la jurisdicción consular española en el Japón, á adherirse á los Convenios internacionales para la protección de la Propiedad literaria é industrial. (503)

5.° Queda entendido que los asuntos que se hallen pendientes ante la jurisdicción consular española en el momento de la cesación de la misma, continuarán sujetos á ella hasta su final resolución. (503)

6.° Las Altas Partes contratantes acuerdan celebrar un Convenio especial para la mútua entrega de los criminales fugitivos. Hasta la entrada en vigor del referido Convenio se concederán mútuamente en esta materia y en todo lo referente á extradiciones los mismos derechos y privilegios que hayan concedido á la Nación más favorecida. (503)

7.° Las dos Altas Partes contratantes convienen en notificarse mútuamente las nacionalidades que cada una conceda á los súbditos de la otra, de conformidad con las leyes del pais. Estas naturalizaciones se considerarán como nulas y sin efecto respecto del país de orígen de los naturolizados, si no se hubiese cumplido previamente con

4. The Japanese Government undertakes, before the cessation of Spanish Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial Property and Copyright. (503)

5. It is understood that all cases pending in the Spanish Consular Courts in Japan at the time of the cessation of the latter shall continue to be subject to the same until finally adjudicated. (503)

6. The High Contracting Parties agree to conclude a special Convention for the mutual surrender of fugitive criminals. Until such Convention shall have been coucluded each Contracting Party shall extend to the other the same right and privileges in the matter as well as in the execution of requisitions concerning civil and criminal cases, as have been granted, or may hereafter be granted, to the most favoured nation. (503)

7. The High Contracting Parties agree to notify to each other all cases in which either shall have granted its nationality to a subject of the other in accordance with the laws of the country. All such cases of naturalization shall be considered null and void as regards the country to which such naturalized subjects originally belonged,

el requisito de la notificación. En el caso de que el súbdito naturalizado regresase al pais de su orígen sin intención de volver al de su naturalización, se hallará por este solo hecho sujeto á todos los deberes y obligaciones que le imponga su primitiva nacionalidad y se entenderá que renuncia implícitamente á la nacionalidad adquirida.

La residencia de más de un año se considerará "prima facie" como la prueba de tal renuncia. (503)

8.° Los Plenipotenciarios que suscriben, han convenido en que este Protocolo será sometido á la aprobación de las dos Altas Partes contratantes al mismo tiempo que el Tratado de Amistad y Relaciones Generales firmado en esta fecha, y que cuando dicho Tratado sea ratificado, las estipulaciones contenidas en este Protocolo se considerarán aprobadas igualmente sin que sea necesaria una ulterior y formal ratificación.

Queda asímismo entendido que los efectos del presente Protocolo caducarán al propio tiempo que los del antedicho Tratado.

En fé de lo cual los Plenipotenciarios respectivos han firmado el presente Protocolo sellàndolo con el sello de sus armas. (503)

unless the above-mentioned condition of notification shall have been previously complied with. Should such naturalized subjects go back to the country of origin without intention of returning to that of naturalization, they shall *ipso facto* be bound by all the duties and obligations incumbent upon them as the subjects of their native country, and shall be held to have tacitly renounced the acquired nationality.

A residence exceeding one year shall be held as *prima facie* evidence of such renunciation. (503)

8. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Frienedship and General Intercourse signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto their seals. (503)

Hecho por duplicado, en Madrid, el segundo dia del primer mes del 30° año de Meiji, cuya fecha corresponde al dos de Enero de mil ochocientos noventa y siete de la Era Cristiana.

(L. S.) S. KURINO.
(L. S.) EL DUQUE DE TETUAN.

Palacio, 2 de Enero de 1897.

Ex^mo^. Señor :

Tengo la honra de manifester á V. E. que con arreglo al Articulo 2° del Protocolo firmado en esta fecha, á partir de un mes después del cange de las ratificaciones del Tratado de Amistad y Relaciones Generales al que el mismo es anexo, miéntras el Japón conceda á los artículos ó mercancías producidos ó manufacturadas en España y sus Provincias y posesiones de Ultramar su trato más favorable, se aplicarán á los productos y manufacturas del Japón, de procedencia directa, á su importación en la Peninsula y las Islas de Cuba y Puerto Rico las segundas columnas de los respectivos Aranceles, y en el Archipiélago Filipino, la Tarifa General que rija para les demás Naciones. (504)

Done at Madrid, in duplicate, this 2nd day of the 1st month of the 30th year of Meiji, corresponding to the seccond day of January, one thousand eight hundred and ninety-seven of the Christian era.

(L. S.) S. KURINO.
(L. S.) EL DUQUE DE TETUAN.

Royal Palace, January 2^nd^, 1897.

Your Excellency :

I have the honour to inform Your Excellency that in accordance with Article II. of the Protocol signed this day, one month after the exchange of the ratifications of the Treaty of Friendship and General Intercourse to which the said Protocol is attached, and as long as the most favourable treatment is granted by Japan to all articles or merchandize, produced or manufactured in Spain and her Provinces and possessions beyond the seas, the second column of the respective Import Tariffs of the Peninsula and the Islands of Cuba and Puerto Rico will be applied to the produce and manufactures of Japan, proceeding directly therefrom, and in the Philip-

Aprovecho esta oportunidad para reiterar á V. E. las seguridades de mismás distinguida consideración.

(Firmado) EL DUQUE DE TETUAN.

Señor Ministro Plenipotenciario ad hoc del Japón,

&c. &c. &c.

pine Islands the General Tariff in force for other nations. (504)

I avail myself, &c., &c.

(Signed) EL DUQUE DE TETUAN.

To the Japanese Plenipotentiary ad hoc,

&c., &c., &c.

CONVENIO ESPECIAL DE COMERCIO.

Firmado en Tokio, el 28° dia del 3° mes del 33° año de Meiji (1900); *Ratificado el 12° dia del 3° mes del 34° año de Meiji* (1901); *Ratificaciones cangeadas en Tokio el 30° dia del 3° mes del 34° año de Meiji* (1901); *y Promulgado el 6° dia del 4° mes del 34° año de Meiji* (1901).

Su Majestad el Emperador del Japón y Su Majestad el Rey de España y en Su Real nombre Su Majestad la Reina Regente del Reino habiendo resuelto en cumplimiento de lo estipulado en el Articulo 1° del Protocolo firmado en Madrid el 2° dia del 1er mes del año 30° de Meiji, correspondiente al 2 de Enero de 1897, celebrar un Convenio especial de comercio basado en el principio de la reciprocidad, relativo á los derechos de importacion que se

SPECIAL COMMERCIAL CONVENTION.

Signed at Tokio, 28th day of 3rd month, 33rd year of Meiji (1900); *Ratified 12th day of 3rd month, 34th year of Meiji* (1901); *Ratifications exchanged at Tokio, 30th day of 3rd month, 34th year of Meiji* (1901); *Promulgated 6th day of 4th month, 34th year of Meiji* (1901.).

His Majesty the Emperor of Japan, and His Majesty the King of Spain and in His Royal name Her Majesty the Queen Regent of the Realm, having resolved to conclude in fulfillment of the stipulation of Article I. of the Protocol signed at Madrid on the 2nd day of the 1st month of the 30th year of Meiji, corresponding to January 2, 1897, a special commercial convention, based upon the principle of reciprocity, concerning the import duties to be

deben cobrar á los objetos y mercancias de cada una de las Partes contratantes á su importacion en la otra, han nombrado á este efecto sus Plenipotenciarios, á saber :

Su Majestad el Emperador del Japón al Vizconde Aoki Siuzo, Junii, Gran Cruz del Sol Naciente, Su Ministro de negocio sestrangeros. Y Su Majestad el Rey de España y en Su Real mombre Su Majestad la Reina Regente de Reino á Don Luis de la Barrera y Riera, Caballero Gran Cruz de la Real órden de Isabel la Católica Comendador de número de la Real y distinguida órden de Cárlos III, Gran Cruz de la órden Jmperial del Sol Naciente y de Cristo de Portugal, Su Enviado Extraordinario y Ministro Plenipotenciario cerca de Su Majestad el Emperador del Japón.

Los cuales despues de haberse comunicado sus plenos Poderes hallados en buena y debida forma, han convenido y pactado lo sigmente :

ARTICULO I.

Los artículos de produccion ó de manufactura japonesa no estarán sujetos á su introduccion en la Peninsula Española y en las Islas Baleares

levied upon the goods and merchandize of either of the two Cantracting Parties imported into the other, have for that poupose named as their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan, Viscount Aoki Siuzo, Junii, First Class of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister of State for Foreign Affairs, and

His Majesty the King of Spain and in His Royal name Her Majesty the Queen Regent of the Realm, Don Louis de la Barrera y Riera, Knight Grand Cross of the Royal Order of Isabella the Catholic, Commender of number of the Royal and Distinguished Order of Charles III., First Class of the Imperial Order of the Rising Sun and Knight Grand Cross of the Royal Order of Christ of Portugal, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Emperor of Japan ;

Who having communicated to each other their Full Powers, found to be in good and due from, have agreed upon and concluded the following Articles :

ARTICLE I.

No other or higher duties, under whatever name or denomination levied, shall be imposed on the importation into the Spanish Peninsula and

y Canarias á otros ni más elevados derechos, cualquiera que sea su nombre ó su denominacion, que los articulos similares producidos ó manufacturados en cualquiera otra Nacion estrangera. No se concederán sin embargo à los productos del Japón las ventajas especiales concedidas á Portugal ni aquellos privilegios especiales que puedan ser concedidos á los Estados fronterizos con objeto de facilitar el tráfico de frontera, en tanto que dichas ventajas ó privilegios sean exclusivos y no sean disfrutados por algun otro pais.

Reciprocamente, los artículos de produccion ó de manufactura de España ó sea de la Peninsula, Islas Baleares y Canarias, no se someterán á su entrada en el Japón á derechos diferentes ni más elevados, cualquiera que sea su nombre ó su denominacion, que aquellos á que se sometan los articulos similares producidos ó manufacturados en cualquier otra Nacion Estrangera.

Oueda mútuamente entendido que los articulos que atraviesen ó que sean trasbordados ó depositados en los puertos ó paises intermedios serán asimilados á los articulos importados directamente siempre que esten acompañados de un conocimiento directo.

No se mantendrá ni impondrá prohibicion alguna à la importacion de

the Balearic and Canary Islands, of any article the produce or manufacture of Japan, than on the like article produced or manufactured in any other foreign country. There shall not, however, be accorded to the products of Japan the special advantages accorded to Portugal, nor those special privileges, which may be granted to bordering States in order to facilitate frontier traffic, in so far as such advantages or privileges are exclusive and are not enjoyed by any other States.

Reciprocally, no other or higher duties, under whatever name or denomination levied, shall be imposed on the importation into Japan of any article the produce or manufacture of Spain, that is to say: the Peninsula and the Balearic and Canary Islands, than on the like article produced or manufactured in any other foreign country.

It is mutually understood that articles passing through or trans-shipped or deposited at intermediary ports or countries, if accompanied by through bills of lading, are assimilated to articles imported direct.

Nor shall any prohibition be maintained or imposed on the importation

cualquier articulo producido ó fabricado en los territorios de cada una de ambas Partes contratantes, en los territorios de la otra, cualquiera que sea su procedencia, que no sea igualmente extensiva á la importacion de los articluos similares producidos ó fabricados en los demás paises; sin embargo esta disposicion no es aplicable á las prohibiciones sanitarias ú ocasionadas por la necesidad de proteger la seguridad de las personas, del ganado y de las plantas útiles á la agricultura. (505)

ARTICULO II.

No se impondrán otros ni mayores derechos ó cargas en el territorio de cada una de ambas Partes contratantes á la exportacion con destino á los territorios de la otra de cualquier articulo, que los que son ó puedan ser impuestos á la exportación de los articulos similares con destino á los démas paises extrangeros; ni se impondrá prohibicion alguna á la exportacion de cualquier articulo de los territorios de cada una de ambas Partes contratantes con destino á los territorios de la otra, que no sea igualmente extensiva á la exportacion de los articulos similares destinados á los demas países. (506)

of any article, the produce or manufacture of the territories of either of the two Contracting Parties into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. This provision, however, is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (505)

ARTICLE II.

No other or higher duties or charges shall be imposed in the territories of either of the two Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other, which shall not equally extend to the exportation of the like article to any other country. (506)

ARTICULO III.

No obstante la observacion hecha en la última parte de la 2ª cláusula del Articulo XIV del Tratado de Amistad y Relaciones generales firmado el segundo dia del primer mes del año trigesimo de Meiji correspondiente al 2 de Enero de 1897, relativa á que la primera cláusula del mismo articulo no será aplicable altrato especial reservado por España á las Repúblicas Hispano-Americanas y no-extensivo á ningun otro pais en cuanto al comercio y á la navegación se refiere, se convene ahora en que ese trato especial será incondicionálmente aplicado al Japón des de el dia en que entre en vigor este convenio. (507)

ARTICULO IV.

El presente Convenio será puesto en vigor inmediatamente despues del cange de las ratificaciones.

Ambas Partes contratantes tendrán el derecho, tras currido el plazo de cinco años, á partir del dia en que este Convenio entre en vigor, de anunciar á la otra su intención de terminarlo, y á los doce meses de verificada la denuncia cesará por completo este Convenio. (507)

ARTICLE III.

Notwithstanding the provision made in the latter part of the second clause of Article XIV. of the Treaty of Friendship and General Intercourse, signed on the 2nd day of the 1st month of the 30th year of Meiji, corresponding to January 2, 1897, to the effect that the first clause of the same Article shall not apply to the special treatment reserved by Spain to the Spanish-American Republies, and not extended to any other country, in respect of commerce and navigation, it is now agreed that such special treatment shall be unconditionally granted to Japan from the date this Convention takes effect. (507)

ARTICLE IV.

The present Convention shall go into operation immediately after the exchange of the ratifications thereof.

Either Contracting Party shall have the right, at any time after five years shall have elapsed from the date this Convention takes effect, to give notice to the other of its intention to terminate the same and at the expiration of twelve months after such notice is given, this Convention shall wholly cease and determine. (507)

ARTICULO V.

De este Convenio seharán seis cópias: dos en Japonés, dos en español y dos en inglés; en el caso en que se encuentre alguna discrepancia entre los textos japonés y español, se decidera aquella de conformidad con el texto inglés. (507)

ARTICULO VI.

Este Convenio sera ratificado y el cange de ratificaciones tendrá lugar en Tokio tan pronto como sera posible. (507)

En fé de lo cual los respectivos Plenipotenciarios lo han firmado y sellado con el sello de sus armas.

Hecho en Tokio el 28 dia del 3er mes del 33° año de Meiji correspondiente à 28 de Marzo de 1900.

(L. S.) VICOMTE AOKI.
(L. S.) LUIS DE LA BARRERA Y RIERA.

ARTICLE V.

The present Convention is written in six copies; viz.: two in the Japanese, two in the Spanish and two in the English language; and in case there should be found any discrepancy beteen the Japanese and Spanish texts, it will be decided in conformity with the English text. (507)

ARTICLE VI.

This Convention shall be ratified and the ratifications thereof shall be exchanged at Tokio as soon as possible. (507)

In witness whereof, the respective Plenipotentiaries have signed the present Convention and have thereunto affixed their seals.

Done at Tokio, this twenty-eighth day of the third month of the thirty-third year of Meiji, corresponding to the 28th of March, 1900.

(L. S.) VICOMTE AOKI.
(L. S.) LUIS DE LA BARRERA Y RIERA.

DÉCLARATION POUR LA DÉLIMITATION DES TERRITOIRES.

Signée à Tokio, le 7e jour du 8e mois de la 28e année de Meiji (7 *Août* 1895), *et publiée le 17e jour du 8e mois de la 28e année de Meiji* (17 *Août* 1895).

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majesté le Roi d'Espagne étant également animés du désir de développer les bonnes relations qui existent actuellement entre les deux Pays et étant persuadés qu'une entente parfaite concernant leurs droits territoriaux relatifs dans l'Ouest de l'Océan Pacifique, pourra contribuer à atteindre le but désiré;

Les soussignés, le Marquis Saïonzi, Ministre de l'Instruction Publique et Ministre a. i. des Affaires Etrangères de Sa Majesté l'Empereur du Japon et Don José de la Rica y Calvo, Envoyé Extraordinaire et Ministre Plénipotentiaire de sa Majesté le Roi d'Espagne, dûment autorisés à cet effet par leurs Gouvernements respectifs, sont convenus de faire la déclaration suivante :

1. Pour le besoin de cette déclaration, le parallèle qui passe par le milieu du Canal navigable de Bachi est pris comme ligne de démarcation entre les possessions Japonaises et espagnoles dans l'Ouest de l'Océan Pacifique. (508)

2. Le Gouvernement Espagnol déclare qu'il n'a aucune réclamation ou prétention sur les îles situées au Nord et Nord-Est de ladite ligne de démarcation. (508)

3. Le Gouvernement Japonais déclare qu'il n'a aucune réclamation ou prétention sur les îles situées au Sud et Sud-Est de ladite ligne de démarcation. (508)

Déclaré et signé en double à Tokio, le 7e jour du 8e mois de la 28e année de Meiji, correspondant au 7 Août mil huit cent quatre-vingt-quinze.

Signé : MARQUIS SAIONZI. Signé : JOSÉ DE LA RICA Y CALVO.

ETATS-UNIS D'AMERIQUE.

TREATY OF COMMERCE AND NAVIGATION.

Signed at Washington, 22d day of 11th month, 27th year of Meiji (1894); *Ratified 27th day of 2nd month, 28th year of Meiji* (1895); *Ratifications exchanged at Washington, 21st day of 3rd month, 28th year of Meiji* (1895); *and Promulgated 24th day of 3rd month, 28th year of Meiji* (1895).

His Majesty the Emperor of Japan and the President of the United States of America being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say: His Majesty the Emperor of Japan, Shinichiro Kurino, Jushii, of the Order of the Sacred Treasure and of the Fourth Class, and the President of the United States of America, Walter Q. Gresham, Secretary of State of the United States; who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects or citizens of each of the two High Contracting Parties shall have full liberty to enter, travel or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects or citizens to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts and in all other matters connected with

the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects or citizens.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort and in any manner whatsoever, which they may lawfully acquire, the subjects or citizens of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects or citizens, or subjects or citizens of the most favored nation. The subjects or citizens of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects or citizens, or subjects or citizens of the most favored nation.

The subjects or citizens of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions. (510)

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the territories of the two High Contracting Parties.

The subjects or citizens of each of the Contracting Parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufactures and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects or citizens; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises, which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native subjects or citizens.

They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other, which are, or may be, opened to foreign commerce; and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects or citizens, or subjects or citizens of the most favored nation, without having to pay taxes, imposts or duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects or citizens, or subjects or citizens of the most favored nation.

It is, however, understood that the stipulations contained in this and the preceding Article do not iu any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security which are in force or may hereafter be enacted in either of the two countries. (511)

ARTICLE III.

The dwellings, manufactories, warehouses and shops of the subjects or citizens of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto destined for purpose of residence or commerce shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects or citizens of the country. (512)

ARTICLE IV.

No other or higher duties shall be imposed on the importation into the territories of the United States of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of the territories of the United States, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importa-

tion of any article, the produce or manufacture of the territories of either of the High Contracting Parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (512)

ARTICLE V.

No other or higher duties or charges shall be imposed in the territories of either of the High Contracting Parties on the exportation of any article to the territories of the other, than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other country. (513)

ARTICLE VI.

The subjcets or citizens of each of the High Contracting Parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native subjects or citizens in all that relates to warehousing, bounties, facilities and drawbacks. (513)

ARTICLE VII.

All articles which are, or may be, legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in vessels of the United States, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are, or may be, legally imported into the ports of the territories of the United States in vessels of the United States may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in vessels of the United States. Such reciprocal equality of treatment

shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such Exportation shall take place in Japanese vessels or in vessels of the United States, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power. (513)

ARTICLE VIII.

No duties of tonnage, harbor, pilotage, ligthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of Government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the territories of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination. (514)

ARTICLE IX.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the territories of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (514)

ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of the United States, respectively.

It is, however, understood that Japanese subjects in the territories of the United States and citizens of the United States in the territories of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the subjects or citizens of any other conutry.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of the United States and a vessel of the United States laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination, where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and custom-house regulations of the two countries.

The Japanese Government, however, agrees to allow vessels of the United States to continue, as heretofore, for the period of the duration of this Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisuminato. (515)

ARTICLE XI.

Any ship-of-war or merchant vessel of either of the High Contracting Parties, which may be compelled by stress of weather, or by reason of any other distress, to take shelter, in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship-of-war or merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of occurrence, or, if there be no such Consular officer, they shall inform the Consul-General, Consul, Vice-Consul or consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels, wrecked or cast

on shore in the territorial waters of the United States, shall take place in accordance with the laws of the United States ; and, reciprocally, all measures of salvage relative to vessels of the United States, wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the laws, ordinances and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws, ordinances and regvlations of the country, and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects or citizens of one of the High Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects or citizens of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (515)

ARTICLE XII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to United States law, are to be deemed vessels of the United States, shall, for tne purposes of this treaty, be deemed Japanese sessels and vessels of the United States, respectively. (517)

ARTICLE XIII.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the High Contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects or citizens of the country where the desertion takes place. (517)

ARTICLE XIV.

The High Contracting Parties agree that in all that concerns commerce and navigation, any privilege, favor or immunity, which either High Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects or citizens of any other State, shall be extended to the Government, ships, subjects or citizens of the other High Contracting Party, gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions, if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favored nation. (517)

ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents, in all the ports, cities and places of the other except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the High Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities, which are, or may hereafter be, granted to Consular officers of the most favored nation. (517)

ARTICLE XVI.

The subjects or citizens of each of the High Contracting Parties shall enjoy in the territories of the other the same protection as native subjects or citizens in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law. (518)

ARTICLE XVII.

The High Contracting Parties agree to the following arrangement :—

The several Foreign Settlements in Japan shall, from the date this Treaty comes into force, be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan. The competent Japanese Authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements, shall at the same time be transferred to the said Japanese Authorities.

When such incorporation takes place, existing leases in perpetuity upon which property is now held in the said Settlements shall be confirmed, and no conditions whatever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular Authorities mentioned in the same are in all cases to be replaced by the Japanese Authorities. All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart. (518)

ARTICLE XVIII.

The present Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Peace and Amity concluded on the third day of the third month of the seventh year of Kayei, corresponding to the 31st day of March, 1854; the Treaty of Amity and Commerce concluded on the 19th day of the 6th month of the 5th year of Ansei, corresponding to the 29th day of July, 1858; the Tariff Convention concluded on the 13th day of the 5th month of the 2nd year of Keio, corresponding to the 25th day of June, 1866; the

Convention concluded on the 25th day of the 7th month of the 11th year of Meiji, corresponding to the 25th day of July, 1878, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Treaties, Conventions, Arrangements and Agreements shall cease to be binding, and in consequence, the jurisdiction then exercised by Courts of the United States in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of the United States as a part of, or appurtenant to, such jurisdiction shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanesee Courts. (519)

ARTICLE XIX.

This Treaty shall go into operation on the 17th day of July, 1899, and shall remain in force for the period of twelve years from that date.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date it goes into operation, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine. ( )

ARTICLE XX.

This Treaty shall be ratified and the ratifications thereof shall be exchanged at Tokio or Washington as soon as possible, and not later than six months after its signature.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate, and have thereunto affixed their seals. (520)

Done at the City of Washington the 22nd day of the 11th month of the 27th year of Meiji, corresponding to the 22nd day of November in the eighteen hundred and ninety-fourth year of the Christian era.

(Signed) SHINICHIRO KURINO. (L. S.)
(Signed) WALTER Q. GRESHAM. (L. S.)

AMENDMENT TO THE FOREGOING TREATY PROPOSED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA.

Article XIX. clause 2, after the word "time" insert the word *thereafter* and strike out all after the word "time" down to and including the word "operation," so that the clause will read: "Either High Contracting Party shall have the right, at any time thereafter, to give notice to other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine." (520)

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government of the United States of America, deeming it advisable in the interests of both Countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations:—

1.—It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by the citizens of the United States shall cease to be binding. From the same date the General Statutory Tariff of Japan, shall, subject to the provisions of Article IX. of the Treaty of March 31, 1854, at present subsisting between the Contracting Parties, so long as the said Treaty remains in force and thereafter, subject to the provisions of Article IV. and Article XIV. of the Treaty signed this day, be applicable to goods and merchandize being the growth, produce or manufacture of the territories of the United States upon importation into Japan.

But nothing contained in this Protocol, shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation

of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of patent, trade-mark or copy-right laws of Japan; or any other article which for sanitary reasons or in view of public security or morals might offer any danger. (521)

2.—The Japanese Government, pending the opening of the country to citizens of the United States, agrees to extend the existing passport system in such a manner as to allow citizens of the United States on the production of a certificate of recommendation from the Representative of the United States at Tokio, or from any of the Consuls of the United States at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the Chief Anthorities in the Prefecture in which an open port is situated, it being understood that the existing Rules and Regulations governing citizens of the United States who visit the interior of the Empire are to be maintained. (521)

3.—The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered approved, without the necessity of a further formal ratification.

It is agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto their seals. (522)

Done at Washington the 22nd day of the 11th month of the 27th year of Meiji, corresponding to the 22nd November, in the eighteen hundred and ninety-fourth year of the Christian era.

(Signed) SHINICHIRO KURINO. (L. S.)
(Signed) WALTER Q. GRESHAM. (L. S.)

AGREEMENT.

Concluded and signed at Tokio, 17th day of 5th month, 13th year of Meiji (1880); *Ratified 5th day of 6th month, 13th year of Meiji* (1880); *Ratifications exchanged at Washington, 16th day of 6th month, 14th year of Meiji* (1881); *and Promulgated 28th day of 9th month, 14th year of Meiji* (1881).

The Empire of Japan and the United States of America being desirous of concluding an Agreement providing for the reimbursement of certain specified expenses which may be incurred by either Country in consequence of the shipwreck on its coasts of the vessels of the other, have resolved to conclude a special Convention for this purpose, and have named as their Plenipotentiaries:

His Majesty the Emperor of Japan, Inouye Kaoru, Shoshii, Minister for Foreign Affairs and decorated with the First Class of the Order of the Rising Sun; the President of the United States of America, John A. Bingham, their Envoy Extraordinary and Minister Plenipotentiary to His Imperial Majesty, who, after reciprocal communication of their Full Powers found in good and due form, have agreed as follows:—

All expenses incurred by the Government of the United States for the rescue, clothing, maintenance and travelling of needy shipwrecked Japanese subjects, for the recovery of the bodies of the drowned, for the medical treatment of the sick and injured, unable to pay for such treatment and for the burial of the dead, shall be repaid to the Government of the United States by that of Japan.

And a similar course of procedure to the above shall be observed by the Government of the United States in the case of assistance being given by that of Japan to shipwrecked citizens of the United States.

But neither the Government of Japan nor that of the United States shall be responsible for the repayment of the expenses incurred in the recovery or preservation of a wrecked vessel or the property on board. All such expenses shall be a charge upon the property saved and shall be repaid by the parties interested therein, upon receiving delivery of the same.

No charge shall be made by the Government of Japan nor by that of the United States for the expenses of the Government officers, police or local functionaries who shall proceed to the wreck, for the travelling expenses of officers escorting the shipwrecked men nor for the expenese of official correspondence.

Such expenses shall be borne by the Government of the Country, to which such officers, police and local functionaries belong.

This Convention shall be ratified by the respective Governments in due form of law, and the ratifications shall be exchanged at Washington as soon as may be. It shall take effect in the respective Countries thirty days after the exchange of said ratifications.

In witness whereof, the respective Plenipotentiaries have hereunto affixed their signatures and seals. (522)

Done, in dupulicate, in the English and Japanese languages at the City of Tokio, Japan, this 17th day of the 5th month of the 13th year, Meiji (17th day of May in the year 1880).

(L. S.) JOHN A. BINGHAM.
(L. S.) INOUYE KAORU.

TREATY OF EXTRADITION.

Signed at Tokio, 29th day of 4th month, 19th year of Meiji (1886); *Ratified 25th day of 9th month, 19th year of Meiji* (1886); *Ratifications exchanged at Tokio, 27th day of 9th month, 19th year of Meiji* (1886); *and Promulgated 27th day of 9th month, 19th year of Meiji* (1886).

His Majesty the Emperor of Japan and the President of the United States of America, having judged it expedient, with a view to the better administration of justice, and to the prevention of crime within the two countries and their jurisdictions, that persons charged with or convicted of the crimes or offences hereinafter named, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, they have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

His Majesty the Emperor of Japan, Count Inouye Kaoru, Jusammi, His Imperial Majesty's Minister of State for Foreign Affairs, First Class of the Order of the Rising Sun, &c, &c, &c, and the President of the United States of America, Richard B. Hubbard, their Envoy Extraordinary and Minister Plenipotentiary near His Imperial Majesty the Emperor of Japan, who, after

having communicated to each other their respective Full Powers found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

The High Contracting Parties engage to deliver up to each other, under the circumstances and conditions stated in the present Treaty, all persons, who being accused or convicted of one of the crimes or offences named below in Article II., and committed within the jurisdiction of the one Party, shall be found within the jurisdiction of the other Party. (524)

ARTICLE II.

1.—Murder, assault with intent to commit murder, and manslaughter.

2.—Counterfeiting or altering money, or uttering or bringing into circulation counterfeit or altered money, counterfeiting certificates or coupons of public indebtedness, bank notes, or other instruments of public credit of either of the Parties, aud the utterance or circulation of the same.

3.—Forgery or altering and uttering what is forged or altered.

4.—Embezzlement or criminal malversation of the public funds, committed within the jurisdiction of either Party, by public officers or depositaries, and embezzlement by any person hired, salaried or employed, to the detriment of the employer or principal.

5.—Larceny, of the value of fifty dollars and upwards, and robbery.

6.—Burglary, defined to be the breaking and entering by night-time into the house of another person with the intent to commit a felony therein ; and the act of breaking and entering the house of another, whether in the day or night-time, with the intent to commit a felony therein.

7.—The act of entering, or of breaking and entering, the offices of the Government and public authorities, or the offices of banks, banking houses, saving-banks, trust companies, insurance or other companies with the intent to commit a felony therein.

8.—Perjury, or the subornation of perjury.

9.—Rape.

10.—Arson.

11.—Piracy by the law of nations.

12.—Murder, assault wiuh intent to kill, and manslaughter, committed on the high seas, on board a ship bearing the flag of the demanding country.

13.—Malicious destruction of, or attempt to destroy, railways, trams, vessels, bridges, dwellings, public edifices or other buildings, when the act endangers human life.

14.—Fraud by a banker, or a trustee, or by an officer or a director of a bank or trust company, made criminal by any law for the time being in force. (524)

ARTICLE III.

If the person demanded be held for trial in the country on which the demand is made, it shall be optional with the latter to grant extradition or to proceed with the trial, provided that unless the trial shall be for the crime for which the fugitive is claimed, the delay shall not prevent ultimate extradition. (525)

ARTICLE IV.

If it be made to appear that extradition is sought with a view to try or punish the person demanded for an offence of a political character, surrender shall not take place; nor shall any person surrendered be tried or punished for any political offence committed previously to his extradition. (525)

ARTICLE V.

The requisition for extradition shall be made through the diplomatic agents of the Contracting Parties, or, in the event of the absence of these from the country or its seat of government, by superior Consular officers.

If the person whose extradition is requested shall have been convicted of a crime, a copy of the sentence of the Court in which he was convicted, authenticated under its seal, and an attestation of the official character of the judge by the proper executive authority, and of the latter by the Minister or Consul of Japan or of the United States, as the case may be, shall accompany the requisition. When the fugitive is merely charged with crime, a duly authenticated copy of the warrant of arrest in the country making the demand and of the depositions on which such warrant may have been issued, must accompany the requisition.

The fugitive shall be surrendered only on such evidence of criminality as

according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime had been there committed. (526)

ARTICLE VI.

On being informed by telegraph, through the diplomatic channel, that a warrant has been issued by competent authority for the arrest of a fugitive criminal charged with any of the crimes enumerated in Article II. of this Treaty, and, on being assured from the same source that a request for the surrender of such criminal is about to be made in accordance with the provision of this Treaty, each Government will endeavor to procure the provisional arrest of such criminal, and keep him in safe custody for a reasonable time, not exceeding two months, to await the production of the documents upon which the claim for extradition is founded. (526)

ARTICLE VII.

Neither of the Contracting Parties shall be bound to deliver up its own subjects or citizens under the stipulations of this Convention, but they shall have the power to deliver them up, if, in their discretion, it be deemed proper to do so. (526)

ARTICLE VIII.

The expenses of the arrest, detention, examination and transportation of the accused shall be paid by the Government which has requested the extradition. (527)

ARTICLE IX.

The present Treaty shall come into force sixty days after the exchange of the ratifications thereof. It may be terminated by either of them, but shall remain in force for six months after notice has been given of its termination.

The Treaty shall be ratified, and the ratifications shall be exchanged at Washington as soon as possible. (527)

In witness whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate, and have thereunto affixed their seals.

Done at the City of Tokio, the Twenty-ninth day of the Fourth month of

the Nineteenth year of Meiji, corresponding to the Twenty-ninth day of April in the Eighteen-hundred and Eighty-sixth year of the Christian era.

(Signed) INOUYE KAORU. (L. S.)
(Signed) RICHARD B. HUBBARD. (L. S.)

The following Amendments to the Treaty were proposed by the United States and accepted by Japan, prior to ratification : (527)

Insert in paragraph 1 of Article II., after the word "Murder" where it first occurs, the word, *and*, and strike out the words [and manslaughter].

Strike out all after the word "depositaries" in paragraph 4 of Article II.

Strike out in paragraph 5 of Article II., the following words : [Larceny, of the value of fifty dollars and upwards, and] so that said paragraph as amended shall read :

5.—Robbery.

Strike out all of paragraph 14 in Article II.

Add at the end of Article IV., the words, *or for any offence other than that in respect of which the extradition is granted.*

Amend Article VI. as follows :

Insert after the word "telegraph" the words, *or other written communication ;* insert after the word "a" where it first occurs, the word *lawful,* and after the word "authority" the words, *upon probable cause ;* and after the word "procure" the words, *so far as it lawfully may ;* so that said Article shall read :

ARTICLE VI.

On being informed by telegraph, *or other written communication,* through the diplomatic channel that a *lawful* warrant has been issued by competent authority *upon probable cause,* for the arrest of a fugitive criminal with any of the crimes enumerated in Article II. of this Treaty, and, on being assured from the same source that a request for the surrender of such criminal is about to be made in accordance with the provision of this Treaty, each Government will endeavor to procure *so far as it lawfully may,* the provisional arrest of

such criminal, and keep him in safe custody for a reasonable time not exceeding two months, to await the production of the documents upon which the claim for extradition is founded.

CERTIFICATE OF THE EXCHANGE OF RATIFICATIONS.

Whereas, the Treaty signed at Tokio, on the 29th day of April, 1886, by the Plenipotentiaries of the Empire of Japan and of the United States of America, concerning the extradition of criminals, recites that the ratifications thereof shall be exchanged at Washington ;

And whereas, it has been agreed between the High Contracting Parties that the ratifications thereof shall be exchanged at Tokio ;

And whereas, the said Treaty in concluding reads as follows :—

" Done at the City of Tokio, the twenty-ninth day of April in the eighteen hundred and eighty-sixth year of the Christian Era ;"

And whereas, it is understood by the High Contracting Parties that the same is intended to read as follows :—

" Done at the City of Tokio, the twenty-ninth day of April, in the year 1886 of the Christian Era ;"

Now, the undersigned, having met together for the purpose of exchanging the ratifications of the said Treaty, and the said ratifications thereof having been carefully compared and found exactly conformable to each other, the exchange took place this day in the usual form. (528)

In witness whereof, they have signed the present certificate of exchange and have affixed thereto their seals.

Done at the City of Tokio, this twenty-seventh day of September, in the year 1886.

(L. S.) INOUYE KAORU.

(L. S.) RICHARD B. HUBBARD.

SUPPLEMENTARY TREATY OF EXTRADITION.

Signed at Tokio, 17th day of 5th month, 39th year of Meiji (1906); *Ratified 22nd day of 9th month, 39th year of Meiji* (1906); *Ratifications exchanged at Tokio 25th day of 9th month, 39th year of Meiji* (1906); *Promulgated 25th day of 9th month, 39th year of Meiji* (1906).

His Majesty the Emperor of Japan and the President of the United States of America being desirous to add the crimes of embezzlement of private moneys or property and larceny to the list of crimes or offences on account of which extradition may be granted under the Treaty concluded between the two countries on the 29th day of the 4th month of the 19th year of Meiji (corresponding to the 29th day of April, 1886), with a view to the better administration of justice and the prevention of crime in their respective territories and jurisdictions, have resolved to conclude a Supplementary Convention, and, for this purpose, have appointed as their Plenipotentiaries, to wit :

His Majesty to Emperor of Japan, Marquis Kimmoti Saionzi, Shonii, First Class of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister of State for Foreign Affairs, and

The President of the United States of America, Huntington Wilson, Chargé d'Affaires ad interim of the United States of America at Tokio ;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following Article :—

The following crimes are added to the list of crimes or offences numbered 1 to 13 in the second Article of the said Treaty of the 29th day of the 4th month of the 19th year of Meiji (corresponding to the 29th day of April, 1886), on account of which extradition may be granted, that is to say :

Embezzlement by persons hired or salaried, to the detriment of their employers, where the amount of money or the value of the property embezzled is not less than 400 yen or $ 200.

Larceny, where the offence is punishable by imprisonment for one year or more, or for which sentence of imprisonment for one year or more has been pronounced.

The present Convention shall be ratified and the ratifications shall be exchanged at Tokio as soon as possible.

It shall come into force ten days after the exchange of the ratifications, and it shall continue and terminate in the same manner as the said Treaty of the 29th day of the 4th month of the 19th year of Meiji (corresponding to the 29th day of April, 1886). (529)

In testimony whereof the respective Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate at Tokio, in the Japanese and English languages, this 17th day of the 5th month of the 39th year of Meiji (corresponding to the 17th day of May, 1906)

(L. S.) MARQUIS SAIONZI.
(L. S.) HUNTINGTON WILSON.

CONVENTION RELATING TO THE PROTECTION OF PATENTS, TRADE-MARKS AND DESIGNS.

Signed at Washington, 13th day of 1st month, 30th year of Meiji (1897)*; Ratified 6th day of 3rd month, 30th year of Meiji* (1897)*; Ratifications exchanged at Tokio, 8th day of 3rd Month, 30th year of Meiji* (1897)*; and Promulgated 11th day of 3rd month, 30th year of Meiji* (1897).

His Majesty the Emperor of Japan and the President of the United States of America, being desirous of securing immediate reciprocal protection for patents, trade-marks and designs, have resolved to conclude a Convention for that purpose, and have appointed as their Plenipotentiaries:

His Majesty the Emperor of Japan, Toru Hoshi, Jushii, His Majesty's Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States; and the President of the United States, the Honorable Richard Olney, Secretary of State of the United States;

Who, after having communicated to each other their respective Full Powers found in good and due form, have agreed as follows :—

Article XVI. of the Treaty of Commerce and Navigation between Japan and the United States of America, concluded at Washington on the twenty-second day, the eleventh month, the twenty-seventh year of Meiji, corresponding to the twenty-second day of November, eighteen hundred and ninety-four of the Christian era, shall have full force and effect from the date of the exchange of ratifications of this Convention.

The present Convention shall be duly ratified by His Majesty the Emperor of Japan in the usual manner, and by the President of the United States of America, by and with the advice and consent of the Senate thereof; and the ratifications shall be exchanged at Tokyo as soon as possible. (530)

In witness whereof, the respective Plenipotentiaries have signed this Convention, and have thereunto affixed their seals.

Done, in duplicate original, at Washington, this thirteenth day of January in the one thousand eight hundred and ninty-seventh year of the Christian era.

(Signed) TORU HOSHI. [L. S.]
(Signed) RICHARD OLNEY. [L. S.]

CONVENTION REGARDING THE PROTECTION OF COPYRIGHT.

Signed at Tokio, 10th day of 11th month, 38th year of Meiji (1905); *Ratified 28th day of 4th month, 39th year of Meiji* (1906); *Ratifications exchanged at Tokio, 10th day of 5th month, 39th year of Meiji* (1906); *and Promulgated 10th day of 5th month, 39th year of Meiji* (1906).

His Majesty the Emperor of Japan and the President of the United States of America being equally desirous to extend to their subjects and citizens the benefit of legal protection in both countries in regard to copyright, have, to this end, decided to conclude a Convention, and have appointed as their respective Plenipotentiaries :

His Majesty the Emperor of Japan, General Count Taro Katsura, Junii, First Class of the Imperial Order of the Rising Sun, Third Class of the Imperial Order of the Golden Kite, His Imperial Majesty's Minister of State for Foreign Affairs ; and

The President of the United States of America, Lloyd C. Griscom, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Japan ;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows :—

ARTICLE I.

The subjects or citizens of each of the two High Contracting Parties shall enjoy in the dominions of the other, the protection of copyright for their works of literature and art as well as photographs, against illegal reproduction, on the same basis on which protection is granted to the subjects or citizens of the other, subject however to the provisions of Article II of the present Convention. (532)

ARTICLE II.

The subjects or citizens of each of the two High Contracting Parties may without authorization translate books, pamphlets or any other writings, dramatic works, and musical compositions published in the dominions of the other by the subjects or citizens of the latter, and print and publish such translations. (532)

ARTICLE III.

The present Convention shall be ratified, and the ratifications thereof shall be exchanged at Tokio as soon as possible. It shall come into operation from the date of the exchange of ratifications, and shall be applicable to such works only as shall be published after it shall have come into operation. Either of the Contracting Parties shall have the right, at any time, to give notice to the other of its intention to terminate the present Convention, and at the expiration of three months after such notice is given, this Convention shall wholly cease and determine. (532)

In witness whereof, the above-mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate at Tokio, in the Japanese and English languages, this 10th day of the 11th month of the 38th year of Meiji, corresponding to the 10th day of November of year one thousand nine hundred and five.

(L. S.) TARO KATSURA.
(L. S.) LLOYD C. GRISCOM.

Foreign Office,
November 10, 1905.

Monsieur le Ministre,

With reference to Article III of the Copyright Convention signed this day between Japan and the United States of America, I have the honour, in order to avoid any possible misunderstanding in future, to declare that the Imperial Government take the word "published" used in the said Article as intended to mean "published for the first time," and consequently that the convention shall not be applicable to any reproduction in future in one of the two contracting countries of works published in the other country prior to the exchange of ratifications. The Imperial Government should be much gratified to be assured that Your Excellency's Government concur in the interpretation above given.

I avail myself etc.

TARO KATSURA.

His Excellency
LLOYD C. GRISCOM,
&c., &c., &c.

American Legation,
Tokio, November 10, 1905.

Monsieur le Ministre,

In reply to Your Excellency's note of to-day regarding the meaning of the word "published" used in Article III. of the Copyright Convention signed this day between the United States of America and Japan, I have the honor to state that the American Government entirely concur in the interpretation given by the Imperial Japanese Government to the said word "published" and that the said Convention shall not be applicable to any reproduction in future in one of the two contracting countries of works published in the other country prior to the exchange of ratifications.

I avail myself etc.

(Signed) LLOYD C. GRISCOM.

His Excellency
COUNT KATSURA TARO,
&c., &c., &c.

PARCELS-POST CONVENTION.

Signed at Washington, 30th day of 6th month, 37th year of Meiji (1904); *Promulgated 17th day of 7th month, 37th year of Meiji* (1904).

For the purpose of making better postal arrangements between the Empire of Japan and the United States of America the undersigned, Takahira Kogoro, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Japan at Washington, and Henry C. Payne, Postmaster-General of the United States of America, duly empowered thereto, have agreed upon the following articles for the establishment of a Parcels-Post System of exchanges between the two countries.

ARTICLE I.

The provisions of this Convention relate only to parcels of mail-matter to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Convention, which will continue as heretofore ; and all the arrangements hereinafter contained apply exclusively to the mails exchanged under these Articles, directly between the offices of Yokohama, Kobe, and Nagasaki and such other offices in the Empire of Japan, as may be hereafter designated by His Imperial Majesty's Minister of State for Communications, and the offices of San Francisco, Seattle, Tacoma, Honolulu, and such other offices in the United States as may be hereafter designated by the Postmaster-General of the United States ; such matter to be admitted to the mails under these Articles as shall be sent through such exchange offices from any place in either country to any place in the other. (534)

ARTICLE II.

There shall be admitted to the mails exchanged under this Convention, articles of merchandise and mail-matter—except letters, postcards and written matter of all kinds—that are admitted under any conditions to the domestic mails of the country of origin, except that no parcel must exceed fifty dollars ($ 50) or its equivalent in value, 4 pounds 6 ounces (525 momme) in weight, nor the following dimensions : Greatest lenghth in any direction, three feet six inches (3 shaku 5 sun) ; greatest length and girth combined, six feet (6 shaku) ; and must be so wrapped or inclosed as to permit the contents to be easily examined by customs officers and by post-masters duly authorized to do so ; and except that the followlng articles are prohibited :

Publications which violate the copyright laws of the country of destination ; poisons, and explosive or inflammable substances ; fatty substances ; liquids, and those which easily liquify ; confections and pastes ; live or dead animals, except dead insects and reptiles when thoroughly dried ; fruits and vegetables which easily decompose, and substances which exhale a bad odor ; lottery tickets, lottery advertisements, or lottery circulars ; all obscene or immoral articles ; articles which may in any way damage or destroy the mails, or injure the persons handling them. (535)

ARTICLE III.

A letter or communication of the nature of personal correspondence must not accompany, be written on, or inclosed with any parcel.

If such be found, the letter will be placed in the mails if separable, and if the communication be inseparably attached, the whole parcel will be rejected. If, however, any such should inadvertently be forwarded, the country of destination may collect on the letter or letters double rates of postage according to the Universal Postal Convention.

No parcel may contain parcels intended for delivery at an address other than that borne by the parcel itself. If such inclosed parcels be detected, they must be sent forward singly charged with new and distinct parcels-post rates. (535)

ARTICLE IV.

The parcels in question shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues, and to the following rates of postage, which shall in all cases be required to be Fully Prepaid, viz :

In the Empire of Japan ; for a parcel not exceeding 120 momme (1 pound) in weight, 24 sen ; and for each additional 120 momme (1 pound) or fraction thereof, 24 sen.

In the United States ; for a parcel not exceeding one pound (120 momme) in weight, 12 cents ; and for each additional pound (120 momme) or fraction of a pound, 12 cents. (536)

ARTICLE V.

The sender of each parcel must make a Customs Declaration, upon a special form provided for the purpose (see Form 1, " A ", annexed hereto), giving the address, a general description of the parcel, an accurate statement of the contents and value, date of mailing, and the sender's signature and place of residence ; which declaration must accompany the parcel to destination.

Either country may authorize the post-office where the parcel is mailed to deliver to the sender of the parcel at the time of mailing, a certificate of mailing on a form like Form 2 annexed hereto.

The sender of a parcel may have the same registered by paying the registration fee required for registered articles in the country of origin, and on demand therefor, will receive a return receipt, without additional charge. (536)

ARTICLE VI.

The addressees of registered articles shall be advised of the arrival of a parcel addressed to them, by a notice from the post-office of destination.

The parcels shall be delivered to addressees at the post-offices of address in the country of destination free of charge for postage; but the customs duties properly chargeable thereon shall be collected on delivery in accordance with the customs regulations of the country of destination; and the country of destination may, at its option, levy and collect from the addressee for interior service and delivery a charge not exceeding ten sen in the Empire of Japan and five cents in the United States, on each single parcel of whatever weight. (537)

ARTICLE VII.

The parcels shall be considered as a component part of the mails exchanged direct between the Empire of Japan and the United States, and shall be dispatched by the country of origin at its own cost and by such means as it provides to the country of destination; but must be forwarded, at the option of the dispatching office, either in boxes prepared especially for the purpose or in ordinary mail sacks, to be marked "Parcels-Post" and not to contain any other articles of mail matter, and to be securely sealed with wax, or otherwise, as may be mutually provided by regulations hereunder.

Each country shall promptly return empty to the dispatching office by next mail, all such bags and boxes, but subject to other regulations between the two Administrations.

Although articles admitted under this Convention will be transmitted as aforesaid between the exchange offices, they should be so carefully packed as to be safely transmitted in the open mails of either country, both in going to the exchange office in the country of origin and to the office of address in the country of destination.

Each dispatch of a parcels-post mail must be accompanied by a descriptive list, in duplicate, of all the parcels sent, showing distinctly the list number of

each parcel, the name of the sender, the name of the addressee, with address of destination, and the declared contents and value; and must be inclosed in one of the boxes or sacks of such dispatch. (See Form 3 annexed hereto.) (537)

ARTICLE VIII.

As soon as the mail shall have reached the office of destination, that office shall check the contents of the mail.

In the event of the parcel bill not having been received, a substitute should be at once prepared.

Any errors in the entries on the parcel bill which may be discovered, should, after verification by a second officer, be corrected and noted for report to the dispatching office on a form "Verification certificate", which should be sent in a special envelope.

If a parcel advised on the bill be not received, after the non-receipt has been verified by a second officer, the entry on the bill should be canceled and the fact reported at once.

Should a parcel be received in a damaged or imperfect condition, full particulars should be reported on the same form.

If no verification certificate or note of error be received a parcels mail shall be considered as duly delivered, having been found on examination correct in all respects. (538)

ARTICLE IX.

If the parcels cannot be delivered as addressed, or if they are refused, they should be reciprocally returned without charge, directly to the dispatching office of exchange, at the expiration of thirty days from their receipt at the office of destination, and the country of origin may collect from the sender for the return of the parcel, a sum equal to the postage when first mailed.

Provided, however, that parcels prohibited by Article II. and those which do not conform to the conditions as to size, weight and value prescribed by said Article, shall not necessarily be returned to the country of origin, but may be disposed of without recourse, in accordance with the customs laws and regulations of the country of destination.

When the contents of a parcel which cannot be delivered are liable to deterioration or corruption, they may be destroyed at once, if necessary, or if expedient, sold, without previous notice or judicial formality, for the benefit of the right person, the particulars of each sale being noticed by one post-office to the other. (538)

ARTICLE X.

The Post Office Department of either of the contracting countries will not be responsible for the loss or damage of any parcel; but either country is at liberty to indemnify the sender of any parcel which may be lost or destroyed in its territory. (539)

ARTICLE XI.

Each country shall retain to its own use the whole of the postages, registration and delivery fees, it collects on said parcels; consequently, this Convention will give rise to no separate accounts between the two countries. (539)

ARTICLE XII.

His Imperial Majesty's Minister of State for Communications and the Postmaster-General of the United States of America shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present Convention from time to time; and may, by agreement, prescribe conditions for the admission in parcels exchanged under this Convention of any of the articles prohibited by Article II. (539)

ARTICLE XIII.

This Convention shall take effect and operations thereunder shall begin on the first day of August 1904, and shall continue in force until terminated by mutual agreement, but may be annulled at the desire of either Department upon six months' previous notice given to the other. (539)

Done in duplicate, and signed at Washington the 30th day of June, One thousand nine hundred and four.

K. TAKAHIRA,
Envoy Extraordinary
and Minister Plenipotentiary of His Majesty the Emperor of Japan.

HENRY C. PAYNE,
Postmaster-General of the United States of America.

Form No. 1.

Date Stamp.	**A.** Parcels-Post between the Empire of Japan and the United States.	Place to which the parcel is addressed.

Form of Customs Declaration.

Description of parcel: (state whether box, bag, basket, etc.)	Contents.	Value.	Per cent.	Total Customs Charges.
	Total:			

Date of posting: ....., 19....; signature and address of sender. .....

☞For use of Post-Office only, and to be filled up at the office of exchange:
Parcel Bill No. .....; No. of rates prepaid .....; Entry No. .....

B.

Parcels-Post from (Country of Origin)_____

The import duty assessed by an officer of Customs on contents of this parcel amounts to_____, which must be paid before the parcel is delivered.

Date Stamp.

_____

Customs Officer.

C.

Parcels-Post from (Country of Origin)_____

This parcel has been passed by an officer of Customs, and must be delivered. *Free of Charge.*

Date Stamp.

_____

FORM No. 2.

PARCELS-POST.

A parcel addressed as under has been posted here this day.

Office Stamp.

_____

_____

_____

This certificate is given to inform the sender of the posting of a parcel, and does not indicate that any liability in respect of such parcel attaches to the Postal Administration.

FORM No. 3.

Date stamp of dispatching exchange Post-Office.

Parcels from (Country of Origin) Country for (Country of destination)

Parcel Bill No.....; dated.....19.....;

per S. S. "....."

Date stamp of receiving exchange Post-Office.

*Sheet No.....

Entry No.	Origin of parcel.	Name of Sender.	Address of parcel.	Declared contents.	Declared value.	Number of rates prepaid	Observations.
				Totals			

*When more than one sheet is required for the entry of the parcels sent by the mail, it will be sufficient if the undermentioned particulars are entered on the last sheet of the Parcel Bill.

Total number of parcels sent by the mail to (Country of Destination.).....

Number of boxes or other receptacles forming the mail.....

Signature of postal official at the dispatching exchange post-office :

.....

lbs.

Total weight of mail.....

Deduct weight of receptacles.....

Net weight of parcels.....

Signature of postal official at the receiving exchange post-office :

.....

CONVENTION FOR THE EXCHANGE OF MONEY ORDERS

Signed at Washington, 18th day of 4th month, 18th year of Meiji (1885); *Signed at Tokio, 23rd day of 5th month, 18th year of Meiji* (1885); *Promulgated 16th day of 9th month, 18th year of Meiji* (1885).

ARTICLE 1.

There shall be a regular exchange of Money Orders between the Empire of Japan and the United States of America.* (543)

ARTICLE 2.

The amounts of Orders, in both directions, shall be expressed in United States Money, and, on account of the frequent fluctuations in the rate of exchange between the two countries, it is agreed that all amounts shall be converted into their proper equivalents by the Japanese Post Office; that is to say, the sums received by the Japanese Post Office for Orders drawn on the United States shall be converted at the time of issue into United States Money at the current rate of exchange; and the amounts of Orders drawn in the United States on Japan shall, in like manner, be rendered by the Japanese Post Office into the currency of Japan, at the current rate of exchange on the day of the arrival of the exchange list. (543)

ARTICLE 3.

The maximun amount for which a Money-Order may be drawn in either country upon the other shall be One Hundred dollars.** (543)

ARTICLE 4.

No Money Order shall contain a fractional part of a cent. (543)

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* On and after June 14, 1900, Money Order business between Japan and Hawaii is transacted under this Convention.

The Money Order System of the United States was extended to Porto Rico on May 1, 1900, and from that date the Money Orders between that Territory and Japan are exchanged under this Convention.

** Article 3 has been revised as the present text by Imperial Ordinance promulgated in June, 22nd year of Meiji.

ARTICLE 5.

The amounts of Money Orders shall be deposited by the remitters, and paid to the payees in gold coin, or in any other legal money of the same current value.

However, in case there should be in circulation in either country a paper currency of legal tender, but of less value than gold, the Administration of that country shall have the right to receive and employ the same in its relations with the public taking into account the difference of value. (543)

ARTICLE 6.

The General Post Office of Japan and the Post-Office Department of the United States shall each have power to fix, from time to time, the rates of commission to be charged on all Money Orders they may respectively issue. This commission shall belong to the issuing Postal Administration, but the General Post Office of Japan shall pay to the Post Office Department of the United States one-half of one per cent. (½ of 1 %) on the amount of Orders in Japan and payable in the United States; and the Post Office Department of the United States shall make a like payment to the General Post Office of Japan for Money-Orders issued in the United States, and payable in Japan.* (544)

ARTICLE 7.

No Money Order shall be issued unless the applicant furnish, in full, the surname, and at least the initial of one Christian name, both of the remitter and the payee, (or the corresponding names in the case of natives of Japan); or the name of the firm or company who are the remitters or payees, together with the address of the remitter and that of the payee.

If, however, any applicant for a Money Order shall tender the name of either the remitter or payee at greater length, such particulars shall be received, and the list shall be made out accordingly. (544)

ARTICLE 8.

The service of Postal Money Order system between the two countries shall be performed exclusively by the agency of the offices of exchange. On the part

* The commission has been changed to one-half of one per cent. as is herein worded, by Imperial Ordinance promulgated in September, 21st year of Meiji.

of Japan the Office of Exchange shall be Tokio, and on the part of the United States, San Francisco, California.*

ARTICLE 9.

The particulars of all Money Orders drawn in the United States upon Japan shall be entered at the Exchange Office, San Francisco, in a list similar to the form marked " A," (in the appendix,) in which shall be shown the amount of each Order in United States Money, which list, after having received the impression of the San Francisco date stamp, shall be forwarded to the General Post Office at Tokio, where it shall be impressed with the date stamp of that office, and where the requisite arrangements for effecting payment of the Orders shall be carried out.

In like manner, the particulars of Money Orders drawn in Japan upon the United States shall be entered at the General Post Office, Tokio, in a list similar to the form marked " B, " in which shall be shown the amount of each Order in the money of both countries, which list, after having received the impression of the date stamp of that office shall be forwarded to the Exchange Office of San Francisco, where it shall receive the impression of the date stamp in use at the office, and where the necessary arrangements for effecting payment of the Orders shall be carried out.

Each list, as well as the entries in the list dispatched shall be numbered consecutively, 1, 2, 3, 4, 5, &c., in the order of dispatch, and the receipt of each list shall be acknowledged, on either side, by means of the first subsequent list forwarded in the opposite direction.

Such a list shall be transmitted by each mail dispatched from either country to the other, and, in order to prevent inconvenience, in case the original lists should be lost, each office shall forward by the following mail a duplicate of the list sent by the preceding mail.

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*The Post Office Department of the United States has established an additional Exchange Office at Seattle, Washington, on May 1. 1900. From and after that date, all Money Orders drawn in Alaska, Idaho, Minnesota, Montana, North Dakota, and Washington respectively for payment in Japan are advised through that Office to the Tokyo Exchange Office.

In Hawaii, the Post Office at Honolulu is the Exchange Office for the transaction of business between that Territory and Japan.

Should it happen that on the day when the list is to be dispatched, there are no Orders to be communicated for payment, the list must, nevertheless, be sent. But, in that event, the Exchange Office will write across the list the the words, "No Money Orders."

The Orders issued in the United States during the quarter ending June 30th, of each year, which may arrive at the Office of Exchange at San Francisco in the following quarter, shall be entered on lists supplementary to the last list of the month of June, and, in like manner, the Orders issued in Japan during the quarter ending June 30th, of each year which may arrive at the Exchange Office of Tokio in the following quarter, shall be entered on lists supplementary to the last list of the month of June.* (544)

ARTICLE 10.

As soon as the list of the dispatching office shall have reached the receiving Office of Exchange, the latter shall make out internal Money Orders in favour of the payees for the amounts specified in the list, and shall forward them, free of postage, to the addressees, or to the offices of destination, in conformity with the regulations existing in each country for the payment of Money Orders.

When the lists shall show irregularities which the receiving office shall not be able to rectify, that office shall demand an explanation from the dispatching office which shall give such explanation with as little delay as possible. Pending the receipt of the explanation, the issue of domestic Money Orders of payment relating to the entries found to be erroneous in the list should be suspended.

One copy of each Exchange List shall be returned by the receiving Exchange Office to the dispatching Exchange Office, but before returning such copy, the receiving Exchange Office shall enter therein the names of the respective offices of payment of the Orders enumerated in the list, and, in the lists from the United States returned by the Japanese office, the latter office shall also enter the amount of each Order in Japanese Money, according to the conversion made by it.** (545)

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* Paragraph 6 of Article 9 is considered as rendered inoperative on and after June 30, 1898, by the correspondence passed between the two Administrations.

** In April, 1903, it has been mutually agreed upon that in the duplicate Lists from the United States Exchange Offices returned by the Japanese Exchange Office, the entry of the names of paying Offices be dispensed with by the latter Office; and that duplicate Lists be not returned by the United States receiving Exchange Offices to the Japanese dispatching Exchange Office.

ARTICLE 11.

The Orders issued by each country on the other shall be subject, as regards payment, to the regulations which govern the payment of domestic Orders in the country of destination.

It is agreed that all Money Orders paid in either country shall be retained in the country in which they are paid. (546)

ARTICLE 12.

When it is desired that any error in the name of the payee or remitter shall be corrected, or that the amount of a Money Order shall be repaid to the remitter, application must be made by the remitter to the Postal Administration of the country in which the Order was issued. (546)

Duplicate Orders shall only be issued by the Postal Administration of the country on which the original Orders were drawn, and in conformity with the regulations established, or to be established, in that country. (546)

ARTICLE 13.

Repayment, whether of an original, or by means of a duplicate Order, shall not be made to the remitter until it has been ascertained, through the Postal Administration of the country where such Order is payable, that the Order has not been paid, and shall not be paid in the office of payment. (546)

ARTICLE 14.

Orders which shall not have been paid within twelve calender months from the month of issue, shall become void, and the sums received shall accrue to, and be at the disposal of, the country of origin.

The General Post Office of Japan shall, therefore, enter to the credit of the United States, in the quarterly account, all Money Orders entered in the lists received from the United States, which remain unpaid at the end of the period specified.

On the other hand, the Post Office Department of the United States shall, at the close of each month, transmit to the General Post Office of Japan, for entry in the quarterly account, a detailed statement of all Orders, included in the lists dispatched from the latter office, which, under this Article become void. (546)

ARTICLE 15.

At the close of each quarter an account shall be prepared at the General Post Office, Tokio, showing, in detail the totals of the lists containing the particulars of Orders issued in either country during the quarter, and the balance resulting from such transactions.

Three copies of this account shall be transmitted to the Post Office Department of the United States at Washington, and the balance, after proper verification, shall, if due by the General Post Office of Japan, be paid at New York, in the Money of the United States, at the same time that it transmits the account, and, if due by the Post Office Department of the United States, it shall be paid, at the same time that it returns the accepted copy of the account by means of a bill of exchange on Yokohama for as much, in the Local Currency of Japan as can be obtained, at the market rate, for the balance due Japan in United States money.*

For this quarterly account forms shall be used in exact conformity with the patterns " C," " D," and " E," in the appendix.

If, pending the settlement of an account, one of the two Postal Administrations shall ascertain that it owes the other a balance exceeding Five thousand dollars ($5,000.) the indebted Administration shall promptly remit the approximate amount of such balance to the credit of the other. (546)

ARTICLE 16.

The Postmaster General, in either country, shall be authorized to adopt any additional rules, if not repugnant to the foregoing, for the security against fraud, or for the better working of the system generally. All such additional rules, however, must be communicated to the Postmaster General of the other country. (547)

ARTICLE 17.

Should it appear that Money Orders are used by mercantile men either in Japan, or in the United States, for the transmission of large sums of money,

*It has been mutually agreed upon between the parties to this Convention that the account be transmitted in duplicate instead of in triplicate, on and after the quarter ended June 30th, 1893.

the Japanese, or United States Postal Administration, as the case may be, shall have the power of increasing the commission, and even of wholly suspending, for a time, the issue of Money Orders. (547)

ARTICLE 18.

This Convention shall come into operation on the 1st day of October, 1885 and shall continue in force until twelve months after either of the contracting parties shall have notified to the other its intention to terminate it.

Done in duplicate, and signed in Tokio on the 23rd day of 5th month of 18th year of Meiji, (the 23rd day of May, 1885.) and in Washington on the 18th day of April, 1885. (547)

(Signed) YOSHIO KUSAKA,
Acting Postmaster General of Japan.

(Signed) W^m^ F. VILAS,
Postmaster General of the United States of America.

A.

Money Order Office,
San Francisco, Cal.,_____188____,

Sir:

I have received your List No.____, relative to Money Orders issued in the Empire of Japan, and payable in the United States of America.

In return, I transmit to you a detailed account of the amounts received for Orders issued in the United States, and payable in Japan, the particulars of which have reached this Office since the dispatch of my previous List No.____.

Awaiting an acknowledgment of the present List,

I have the honor to be,
Sir,
Your obedient Servant,

_____

Postmaster.

To_____
General Post Office,
Tokio.

A.

List No. .....

LIST OF MONEY-ORDERS ISSUED IN THE UNITED STATES OF AMERICA, AND PAYABLE IN THE EMPIRE OF JAPAN.

Office Stamp.

Date.	Number of Original Order.	Number of International Order.	Office of Issue.	Name of Remitter.	Address of Remitter.*	Full Name of Payee.	Full Address of Payee.	Amount in United States Money.		For use of Tokio Office.				
										Amount in Japanese Money.		Number of Inland Order issued by Tokio Office	Office on which final Order is drawn.	Remarks.
								$	c	Yen	Sen			

*It has been agreed upon in August, 1903 that the entry in the Lists of the addresses of remitters be dispensed with.

A.

General Post Office,
Tokio,_____188_____.

Sir :

I have examined this List of Money Orders from No._____to No._____ inclusive, for sums received in the United States for payment in the Empire of Japan, amounting in the aggregate to $_____.

The said List was found to be correct with the following exceptions :

_____

_____

_____

_____

I have the honor to be,
Sir,
Your obedient Servant,

_____

To the Postmaster,
Money Order Exchange Office,
San Francisco, Cal.

B.

General Post Office.
Tokio,.....188....

Sir :

I have received your List No....., relative to Money Orders issued in the United States of America, and payable in the Empire of Japan.

In return, I transmit to you a detailed account of the amounts received for Orders issued in Japan, and payable in the United States, the particulars of which have reached this Office since the dispatch of my previous List No.....

Awaiting an acknowledgment of the present List,

I have the honor to be,
Sir,
Your obedient Servant,

.....

To the Postmaster,
Money Order Exchange Office,
San Francisco, Cal.

B.

LIST OF MONEY ORDERS ISSUED IN THE EMPIRE OF JAPAN, AND PAYABLE IN THE UNTED STATES OF AMERICA.

List No......

Office Stamp.

Date.	Number of Original Order.	Number of International Order.	Office of Issue.	Name of Remitter.	Address of Remitter.*	Full Name of Payee.	Full Address of Payee. (including Office and State, and, if possible, County.)	Amount in United States Money. $	Amount in United States Money. c	Amount in Japanese Money. Yen	Amount in Japanese Money. Sen	For use San Francisco Office. Number of Inland Order issued by San Francisco Office.	For use San Francisco Office. Office on which final Order is drawn.	For use San Francisco Office. Remarks.

* In August, 1903, it has been agreed upon between the parties to this Convention that the entry in the Lists of the addresses of remitters be dispensed with.

B.

Money Order Office,
San Francisco, Cal. ..... 188____.

Sir :

I have examined this List of Money Orders from No. ..... to No. _____, inclusive, for sums received in the Empire of Japan for payment in the United States amounting in the aggregate to $_____.

The said List was found to be correct with the following exceptions :

_____

_____

_____

_____

_____

I have the honor to be,
Sir,
Your obedient Servant,

_____
Postmaster.

To_____
General Post Office,
Tokio.

C.

.....QUARTER OF 188.....

LIST OF MONEY ORDERS, AUTHORITY FOR THE REPAYMENT OF WHICH TO THE REMITTERS HAS BEEN GIVEN TO THE COUNTRY OF ISSUE DURING THE QUARTER ABOVE MENTIONED.

Orders issued in Japan.					Orders issued in United States.				
No. of List.	Date of List.	No. of International Order.	Amount of Order.		No. of List.	Date of List.	No. of International Order.	Amount of Order.	
			$	c				$	c
		Total,					Total,		

D.

MONEY ORDERS NOT PAID AND TO BE CREDITED TO THE ISSUING OFFICE.

Orders issued in Japan.					Orders issued in the United States.				
No. of List.	Date of List.	No. of International Order.	Amount of Order.		No. of List.	Date of List.	No. of International Order.	Amount of Order.	
			$	c				$	c
		Total,					Total,		

E.

.....QUARTER OF 188.....

GENERAL STATEMENT OF THE RESULT OF THE EXCHANGE OF MONEY ORDERS BETWEEN THE EMPIRE OF JAPAN AND THE UNITED STATES OF AMERICA.

To credit of Japan.	Amount		To credit of the United States.	Amount.	
Orders issued in the United States and payable in Japan, viz:	$	c	Orders issued in Japan and payable in the United States, viz:	$	c
As per List No.—— $ c			As per List No.—— $ c		
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Commission, ½ of 1%* on above,			Commission, ½ of 1%* On above,		
Repaid Orders,			Repaid Orders,		
Orders become void,			Orders become void,		
Total credit to Japan,			Total credit to the United States,		
Balance due the United States,			Balance due Japan,		

* The commission has been changed to one-half of one per cent as is herein worded, by Imperial Ordinance promulgated in September, 21st year of Meiji.

FRANCE.

TRAITÉ DE COMMERCE ET DE NAVIGATION.

Signé à Paris, le 4e jour du 8e mois de la 29e année de Meiji (1896); *ratifié le 1er jour du 2e mois de la 30e année de Meiji* (1897); *Ratifications échangées à Tokio, le 16e jour du 3e mois de la 31e année de Meiji* (1898); *promulgué le 30e jour du 3e mois de la 31e année de Meiji* (1898).

Sa Majesté l'Empereur du Japon et le Président de la République Française, animés d'un égal désir de maintenir les bons rapports déjà heureusement établis entre Eux, en étendant et en augmentant les relations entre leurs Etats respectifs, et persuadés que ce but ne saurait être mieux atteint que par la révision des Traités jusqu'ici en vigueur entre les deux Pays, ont résolu de procéder à cette révision sur les bases de l'équité et de l'intérêt mutuels, et ont nommé à cet effet pour Leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon,

M. Soné Arasuké, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près le Gouvernement de la République française ;

Et le Président de la République française,

Son Excellence M. Gabriel Hanotaux, Ministre des Affaires Etrangères,

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les articles suivants :

ARTICLE PREMIER.

Il y aura réciproquement pleine et entière liberté de commerce et de navigation entre les Etats et possessions des deux Hautes Parties Contractantes.

Les Japonais en France et les Français au Japon jouiront de la plus complète et constante protection pour leurs personnes et leurs propriétés.

Ils pourront réciproquement, dans toute l'étendue des Etats et possessions respectifs, voyager, résider et se livrer à l'exercice de leurs professions, acquérir, posséder et transmettre par succession, par testament, donation ou, de toute autre maniére que ce soit, des biens, valeurs et effets mobiliers de toutes sortes;

ils jouiront à cet effet des mêmes priviléges, libertés et droits que les nationaux ou les ressortissants de la nation la plus favorisée, sans pouvoir être tenus à acquitter des impôts ou taxes autres ou plus élevés.

Ils auront un libre et facile accès auprès des tribunaux de justice tant pour réclamer que pour défendre leurs droits en toute instance et à tous les degrés de juridiction établis par les lois. Ils seront libres de choisir et d'employer dans toutes les circonstances les légistes, avoués, avocats et agents de toute classe qu'ils jugeraient à propos, et jouiront sous ce rapport des mêmes droits et priviléges que ceux qui sont ou seront accordés aux nationaux. (555)

ARTICLE II.

Les ressortissants de chacune des deux Hautes Parties Contractantes jouiront, dans toute l'étendue des Etats et possessions de l'autre Partie Contractante, d'une entière liberté de conscience et pourront, en se conformant aux Lois, Ordonnances et Règlements du pays, élever et posséder des églises, se livrer à l'exercice privé ou public de leur culte ; ils jouiront aussi, sous les mêmes conditions, du droit d'être inhumés suivant leurs coutumes religieuses dans des cimetières convenablement situés, lesquels seront établis dans le cas où il n'en existerait point et seront soigneusement entretenus. (556)

ARTICLE III.

Les Japonais en France et les Français au Japon ne seront contraints, sous aucun prétexte, à subir des charges ou à payer des taxes, impôts, contributions ou patentes, sous quelque dénomination que ce soit, autres ou plus élevés que ceux qui sont ou seront perçus sur les nationaux ou les ressortissants de la nation la plus favorisée.

Ils ne seront astreints à aucun service obligatoire, soit dans les armées de terre ou de mer, soit dans les gardes ou milices nationales. Ils seront exempts de toutes contributions imposées en lieu et place du service personnel, de tous emprunts forcés et de toute autre contribution extraordinaire, de quelque nature que ce soit. (556)

ARTICLE IV.

Les ressortissants de chacune des Hautes Parties Contractantes pourront, en quelque lieu que ce soit, des Etats et Possessions de l'autre Partie, exercer

toute espèce d'industrie ou de métier, faire le commerce tant en gros qu'en détail de tous produits, objets fabriqués ou manufacturés, de tous articles de commerce licite, soit en personne, soit par leurs agents, seuls ou en entrant en société commerciale avec des étrangers ou avec des nationaux ; ils pourront y posséder, louer, même par bail emphytéotique, et occuper les maisons et boutiques qui leur seront nécessaires, louer des terres, les prendre à bail emphytéotique, à l'effet d'y résider et d'y exercer leur profession ; le tout en se conformant, comme les nationaux eux-mêmes et les ressortissants de la nation la plus favorisée, aux Lois, Ordonnances et Règlements des pays respectifs.

Il est entendu qu'en tout ce qui concerne l'agriculture et le droit de propriété sur les biens immobiliers, les Japonais en France et les Français au Japon jouiront du même traitement que les sujets ou citoyens de la nation la plus favorisée. (556)

ARTICLE V.

Les Japonais en France et les Français au Japon auront pleine liberté d'entrer avec leurs navires et leurs cargaisons dans tous les ports, mouillages et rivières de leurs territoires respectifs qui sont ou pourront être ouverts au commerce extérieur et jouiront, en matière de commerce et de navigation, du même traitement que les nationaux et ressortissants de la nation la plus favorisée, sans avoir à payer aucuns impôts, taxes ou droits, de quelque nature ou de quelque dénomination que ce soit, perçus au nom ou au profit du Gouvernement, de fonctionnaires publics, de particuliers, de corporations ou d'établissements quelconques, autres ou plus élevés que ceux imposés aux nationaux ou ressortissants de la nation la plus favorisée, le tout en se conformant aux Lois, Ordonnances et Règlements des pays respectifs. (557)

ARTICLE VI.

Les habitations, magasins et boutiques des sujets ou citoyens de chacune des Hautes Parties Contractantes, ainsi que leurs dépendances, seront respectés.

Il ne sera point permis d'y procéder à des perquistions ou visites domiciliaires, non plus que d'examiner ou d'inspecter les livres, papiers ou comptes, sauf dans les conditions et formes prescrites par les Lois, Ordonnances et Règlements applicables aux nationaux. (557)

ARTICLE VII.

Les droits de douane perçus à l'entrée au Japon et en France sur les produits de l'autre pays ne pourront être autres ou plus élevés que ceux imposés aux marchandises similaires originaires du pays le plus favorisé et en provenant dans les mêmes conditions.

Les droits perçus à la sortie du Japon et de France sur les produits destinés à l'autre pays ne pourront également être autres ou plus élevés que ceux imposés aux mêmes produits destinés au pays le plus favorisé.

Les Hautes Parties Contractantes s'engagent, en outre, à n'établir aucune restriction ou prohibition d'importation ou d'exportation qui ne soit, en même temps, applicable aux autres nations. (557)

ARTICLE VIII.

Les ressortissants de chacune des Hautes Parties Contractantes jouiront, dans les Etats et Possessions de l'autre, de l'exemption de tous droits de transit quelconques et d'une parfaite égalité de traitement avec les nationaux pour tout ce qui concerne le magasinage, les primes, les facilités et les drawbacks.

Les marchandises de toute nature originaires de l'un des deux Pays et importées dans l'autre ne pourront être assujetties à des droits d'accise, d'octori ou de consommation perçus pour le compte de l'Etat ou des communes, supérieurs à ceux qui grèvent ou grèveraient les marchandises similaires de production nationale. (558)

ARTICLE IX.

Les droits de douane perçus à l'entrée ou à la sortie des territoires de chacune des Hautes Parties Contractantes, les primes et les drawbacks seront les mêmes, que les importations ou les exportations aient lieu par les navires japonais ou français ou par des navires de toute autre nationalité. (558)

ARTICLE X.

Aucuns droits de tonnage, de port, de pilotage, de phare, de quarantaine ou autres droits similaires ou analogues, de quelque nature ou sous quelque dénomination que ce soit, levés au nom ou au profit du Gouvernement, de

fonctionnaires publics, de particuliers, de corporations ou d'établissements quelconques, qui ne seraient également et sous les mêmes conditions imposés en pareil cas sur les navires nationaux en général ou sur les navires de la nation la plus favorisée, ne seront imposés dans les ports des Etats et Possessions de chacun des deux Pays sur les navires de l'autre Pays. Cette égalité de traitement sera appliquée réciproquement aux navires respectifs, de quelque endroit qu'ils arrivent et quel que soit le lieu de destination. (558)

ARTICLE XI.

En ce qui concerne le placement des navires, leur chargement, leur déchargement dans les ports, rades, havres, bassins, docks ou rivières des Etats et Possessions des deux Pays, il ne sera accordé aux navires nationaux aucun privilége ni aucune faveur qui ne le soit également aux navires de l'autre Puissance, la volonté des Hautes Parties Contractantes étant que, sous ce rapport aussi, les bâtiment japonais et français soient respectivement traités sur le pied d'une parfaite égalité. (559)

ARTICLE XII.

Il est fait exception aux dispositions du présent traité pour le cabotage dont le régime reste soumis aux Lois, Ordonnances et Règlements du Japon et de la France respectivement. Il est entendu toutefois que les Japonais en France et les Français au Japon jouiront, pour tout ce qui concerne le cabotage, des droits et priviléges qui sont ou seront accordés par ces mêmes Lois, Ordonnances et Règlements aux ressortissants de tout autre pays.

Tout navire japonais chargé au Japon ou à l'étranger d'une cargaison destinée en tout ou en partie à deux ou plusieurs ports de France et tout navire français chargé en France ou à l'étranger d'une cargaison destinée en tout ou en partie à deux ou plusieurs ports du Japon pourra, en se conformant aux Lois et aux Règlements de douane du Pays, décharger une partie de sa cargaison dans un port, et continuer son voyage pour l'autre ou les autres ports de destination, dans le but d'y décharger une autre partie ou le reste de sa cargaison d'origine.

Le Gouvernement Japonais concède en outre aux navires français le droit de continuer, comme par le passé, et pour toute la durée du présent traité, à

transporter des cargaisons entre les ports ouverts de l'Empire, à l'exception des ports d'Osaka, de Niigata et d'Ebisuminato. (559)

ARTICLE XIII.

Tout navire de commerce de l'une des deux Hantes Parties Contractantes qui serait forcé, par le mauvais temps ou pour toute autre raison, de se réfugier dans un port de l'autre Partie Contractante, aura la liberté de s'y faire réparer, de s'y pourvoir de tous les approvisionnements dont il aura besoin et de reprendre la mer, sans payer d'autres droits que ceux qui seraient acquittés en pareille circonstance par les bâtiments nationaux. Dans le cas cependant où le capitaine d'un navire de commerce se trouverait dans la nécessité de vendre une partie de sa cargaison pour payer les frais, il sera obligé de se conformer aux Règlements et Tarifs du lieu où il aurait relâché.

S'il arrive qu'un navire quelconque de l'une des Hautes Parties Contractantes échoue ou fasse naufrage sur les côtes de l'autre Partie, les autorités locales en informeront sans retard le Consul Général, le Consul, le Vice-Consul ou l'Agent consulaire de la nationalité du navire le plus voisin, lequel sera admis à intervenir en sa qualité pour procurer toute l'assistance nécessaire.

Toutes les opérations relatives au sauvetage des navires japonais naufragés ou échoués dans les eaux territoriales de la France auront lieu conformément aux Lois, Ordonnances et Règlements français, et réciproquement, toutes les mesures de sauvetage relatives aux navires français naufragés ou échoués dans les eaux territoriales du Japon auront lieu conformément aux Lois, Ordonnances et Règlements japonais.

Tous navires ou vaisseaux ainsi échoués ou naufragés, tous débris et accessoires, toutes fournitures leur appartenant et tous effets et marchandises sauvés desdits navires ou vaisseaux, y compris ceux qui auraient été jetés à la mer, ou les produits desdits objets, s'ils sont vendus, ainsi que tous papiers trouvés à bord de ces navires ou vaisseaux échoués ou naufragés seront remis aux propriétaires ou à leurs représentants. Dans le cas où ces proriétaires ou représentants ne se trouveraient pas sur les lieux, lesdits produits ou objets seront remis aux Consuls généraux, Consuls, Vice-Consuls ou Agents consulaires respectifs et ces officiers consulaires, propriétaires ou représentants payeront seulement les dépenses occasionnées pour la conservation desdits objets ainsi

que les frais de sauvetage ou autres dépenses auxquels seraient soumis, en cas de naufrage, les navires nationaux.

Les effets et marchandises sauvés du naufrage seront exempts de tous droits de douane, à moins qu'ils n'entrent dans la consommation intérieure. (560)

ARTICLE XIV.

Les navires de guerre de l'une des deux Puissances pourront entrer, séjourner et se radouber dans ceux des ports de l'autre Puissance dont l'accès est permis aux navires de guerre de la nation la plus favorisée ; ils y seront soumis aux mêmes règles et y jouiront des mêmes honneurs, avantages, priviléges et exemptions concédés à cette dernière. (561)

ARTICLE XV.

Les paquebots chargés d'un service postal et appartenant à des compagnies subventionnées par l'un des deux Etats Contractants ne pourront être, dans les ports de l'autre Etat, detournés de leur destination ni être sujets à saisie, arrêt, embargo ou arrêt du Prince. (561)

ARTICLE XVI

Tous les navires qui, conformément aux Lois japonaises, sont considérés comme navires japonais et tous les navires qui, conformément aux Lois françaises, sont considérés comme navires français, seront respectivement considérés comme japonais et français pour l'application du présent Traité. (561)

ARTICLE XVII.

Les Consuls généraux, Consuls, Vice-Consuls et Agents consulaires de chacune des Hautes Parties Contractantes résidant dans les Etats et Possessions de l'autre Partie recevront des autorités locales, pour la recherche, saisie et arrestation des déserteurs des navires de leur pays respectif, toute aide et assistance qui pourront leur être données conformément aux lois.

Il est entendu que cette stipulation ne s'appliquera pas aux ressortissants du Pays où la désertion aura lieu. (561)

ARTICLE XVIII.

Les Hautes Parties Contractantes conviennent que dans toutes les matières relatives au commerce, à la navigation et à l'exercice de l'industrie, tout privilége, faveur ou immunité quelconque que l'une d'elles a déjà accordés ou accorderait à l'avenir au Gouvernement ou aux ressortissants de tout autre pays, seront étendus immédiatement et sans condition au Gouvernement et aux ressortissants de l'autre Partie, leur intention étant que, pour ce qui concerne le commerce, la navigation et l'industrie, les Japonais en France et les Français au Japon jouissent, sous tous les rapports, du traitement de la nation la plus favorisée. (561)

ARTICLE XIX.

Chacune des Hautes Parties Contractantes pourra nommer des Consuls généraux, Consuls, Vice-Consuls et Agents consulaires dans tous les ports, villes et places de l'autre Partie. Ces Agents et les Consuls suppléants, Chanceliers et Secrétaires attachés à leur poste exerceront, en toute liberté, leurs fonctions et attributions et jouiront, à charge de réciprocité, de tous les priviléges, exemptions et immunités, ainsi que des pouvoirs qui sont ou seront accordés aux officiers consulaires de la nation la plus favorisée.

Ils n'entreront en fonctions et ne jouiront des droits, priviléges et immunités consulaires qu'après en avoir obtenu l'autorisation du Gouvernement territorial.

En ce qui concerne le lieu de leur résidence, les deux Gouvernements ne s'opposeront respectivement aucune restriction qui ne soit commune dans leur pays à toutes les nations. (562)

ARTICLE XX.

Les ressortissants de chacune des Hautes Parties Contractantes jouiront, dans les Etats et Possessions de l'autre Partie, de la même protection que les nationaux pour tout ce qui concerne les brevets d'invention, les marques de fabrique ou de commerce, ainsi que les dessins ou modèles industriels et de fabrique de toute espèce, en remplissant les formalités prescrites par la loi. (562)

ARTICLE XXI.

Le Gouvernement de la République Française donne, en ce qui le concerne, son adhésion à l'Arrangement suivant :

Les divers quartiers étrangers qui existent au Japon seront incorporés aux communes respectives du Japon et feront dès lors partie du système municipal du Japon.

Les Autorités japonaises compétentes assumeront en conséquence toutes les obligations et tous les devoirs municipaux qui résultent de ce nouvel état de choses et les fonds et biens municipaux qui pourraient appartenir à ces quartiers seront, de plein droit, transférés auxdites Autorités japonaises.

Lorsque les changements ci-dessus indiqués auront été effectués, les baux à perpétuité en vertu desquels les étrangers possèdent actuellement des propriétés dans les quartiers seront confirmés, et les propriétés de cette nature ne donneront lieu à aucuns impôts, taxes, charges, contributions ou conditions quelconques autres que ceux expressément stipulés dans les baux en question. Il est entendu toutefois qu'aux Autorités consulaires dont il y est fait mention seront substituées les Autorités japonaises.

Les terrains que le Gouvernement japonais aurait concédés exempts de rentes, vu l'usage public auquel ils étaient affectés, resteront, sous la réserve des droits de la souveraineté territoriale, affranchis d'une manière permanente de tous impôts, taxes et charges ; et ils ne seront point détournés de l'usage auquel ils étaient primitivement destinés. (562)

ARTICLE XXII.

Les dispositions du présent traité sont applicables à l'Algérie. Il est entendu qu'elles deviendraient en outre applicables aux colonies françaises pour lesquelles le Gouvernement Français en réclamerait le bénéfice. Le Représentant de la République Française à Tokyo aurait à cet effet à le notifier au Gouvernement Japonais dans un délai de deux ans, à dater du jour de l'échange des ratifications du présent traité. (563)

ARTICLE XXIII.

A dater de la mise en vigueur du présent traité, seront abrogés le Traité du 9 octobre 1858, la Convention du 25 juin 1866 et en général tous les arrangements conclus entre les Hautes Parties Contractantes existant antérieurement à cette date. En conséquence, la juridiction française au Japon et les priviléges, exemptions ou immunités dont les Français jouissaient en matière juridictionnelle seront supprimés de plein droit et sans qu'il soit besoin de

notification, du jour de la mise en vigueur du présent traité; et les Français seront dès lors soumis à la juridiction des tribunaux japonais. (564)

ARTICLE XXIV.

Le présent Traité ne produira ses effets que trois ans au moins après la signature. Il entrera en vigueur une année après que le Gouvernement de S. M. l'Empereur du Japon aura notifié au Gouvernement de la République Française son intention de le voir mis à exécution.

Cette notification pourra être faite à un moment quelconque après l'expiration des deux années qui suivront la date de sa signature.

Le présent Traité restera obligatoire pendant une période de douze ans, à partir du jour où il aura été mis à exécution.

Chacune des Hautes Parties Contractantes aura le droit, à un moment quelconque après que onze années se seront écoulées depuis l'entrée en vigueur du présent Traité, de notifier à l'autre partie son intention d'y mettre fin et à l'expiration du douzième mois qui suivra cette notification, le Traité cessera et expirera entièrement.

Toutefois l'article VII du Traité pourra être dénoncé à toute époque par le Gouvernement Français et, dans ce cas, cet article cessera d'être en vigueur un an après sa dénonciation. (564)

ARTICLE XXV.

Le présent Traité sera ratifié et les ratifications en seront échangées à Tokyo aussitôt que faire se pourra. (564)

En foi de quoi, les plénipotentiaires des deux pays ont signé le présent Traité et y ont apposé leurs sceaux.

Fait à Paris, en double exemplaire, le 4 août 1896.

(L. S.) SONÉ ARASUKÉ.
(L. S.) G. HANOTAUX.

PROTOCOLE.

Le Gouvernement de S. M. l'Empereur du Japon et le Gouvernement de la République Française, estimant qu'il est utile aux intérêts des deux pays de régler certaines questions spéciales qui intéressent mutuellement et qui ne sont pas prévues au Traité de commerce et de navigation signé cejourd'hui, leurs Plénipotentiaires respectifs sont convenus des stipulations suivantes :

I.

Il est convenu entre les Hautes Parties Contractantes que, six mois après l'échange des ratifications du Traité de commerce et de navigation signé cejourd'hui, le tarif d'importation ci-annexé sera, sous réserve des stipulations de l'article XIX du Traité du 9 octobre 1858, aussi longtemps que ledit Traité restera en vigueur, puis subséquemment des articles VII et XVIII du Traité en date de ce jour, applicable aux produits du sol, des industries ou manufactures des Etats et Possessions de la République Française à leur importation au Japon. Mais rien de ce qui est contenu dans le Traité, dans ce Protocole ou dans le Tarif annexé ne pourra être tenu comme limitant le droit du Gouvernement Japonais et du Gouvernement Français de restreindre ou de prohiber l'importation des drogues, médecines, aliments ou breuvages falsifiés, d'imprimés, peintures, livres, cartes, lithographies ou gravures indécentes ou obscènes, ou d'autres objets pouvant offrir quelque danger pour la sécurité ou la morale publiques, d'articles fabriqués en violation des lois qui, au Japon et en France, réglementent les brevets d'invention, les marques de fabrique ou la propriété littéraire. Ce droit réciproque s'étendra également aux prohibitions sanitaires ou autres provenant de la nécessité de protéger la santé des personnes, ainsi que la conservation du bétail et des plantes utiles à l'agriculture.

Les droits *ad valorem* établis par ledit Tarif seront, autant que cela sera reconnu possible, convertis en droits spécifiques par une Convention supplémentaire qui sera conclue entre les deux Gouvernements dans le délai de six mois à compter de la ratification du Traité en date de ce jour. Pour l'évaluation desdits droits spécifiques, il est convenu qu'on prendra pour base la moyenne des prix établie par les relevés des Douanes japonaises des six premiers mois de l'année 1894, en y ajoutant les frais d'assurance et de transport du

lieu d'achat, de production ou de fabrication jusqu'au port d'arrivée, ainsi que les frais de commission, s'il en existe. Dans le cas où la convention supplémentaire ne serait pas entrée en vigueur au moment où le tarif nouveau commencerait à être appliqué, ce seront les droits *ad valorem* qui, dans l'intervalle, seront perçus. Ces droits seront calculés sur le prix réel des marchandises au lieu d'achat, de production ou de fabrication, augmenté des frais de transport et d'assurance dudit lieu jusqu'au port de déchargement, ainsi que des frais de commission, s'il en existe.

Au cas où l'article VII du Traité cesserait d'être en vigueur par suite de la dénociation qui en serait faite par le Gouvernement Français, le tarif ci-annexé ou le tarif spécifique qui lui sera substitué cessera également d'être appliqué.

En ce qui concerne les articles non énumérés dans ledit Tarif, le Tarif général du Japon s'appliquera, dès qu'il sera en vigueur, sous réserve des stipulations de l'article XIX du Traité du 9 octobre 1858 ou des articlesVII et XVIII du Traité conclu cejourd'hui.

A dater du jour où nouveau Tarif aura son effet, le Tarif d'importation actuellement en vigueur au Japon cessera d'être appliqué en ce qui concerne les objets et marchandises importés au Japon par des citoyens français.

En ce qui concerne toutes les autres stipulations des Traités et Conventions actuellement existants, elles seront maintenues sans conditions jusqu'à l'époque où le Traité de commerce et de navigation en date de ce jour sera mis en vigueur. (565)

II.

Le Gouvernement Japonais consent, en attendant l'ouverture complète du pays aux citoyens français, d'étendre le système existant des passeports de façon à permettre aux Français, sur la production d'un certificat favorable émanant de la Légation de France à Tokyo ou de l'un quelconque des Consulats de France dans les ports ouverts, d'obtenir sur leur demande, du Ministère Impérial des Affaires Etrangères à Tokyo ou des autorités principales de la Préfecture dans laquelle est situé un port ouvert, des passeports valables pour toute l'étendue du pays et pour toute période n'excédant pas douze mois.

Il est bien entendu que, sous cette réserve, les Lois et Règlements existants et régissant les citoyens français qui voyagent dans l'Empire du Japon sont maintenus. (567)

III.

Le Gouvernement Japonais s'engage, avant la cessation de la juridiction consulaire française au Japon, à adhérer aux Conventions internationales concernant la protection de la propriété industrielle et de la propriété littéraire. (567)

IV.

Les Plénipotentiaires soussignés sont convenus que le présent Protocole sera soumis aux deux Hautes Parties Contractantes en même temps que le Traité de commerce et de navigation signé en ce jour et que, quand ledit Traité sera ratifié, les arrangements contenus dans ce Protocole seront également considérés comme approuvés sans qu'il soit nécessaire d'une ratification formelle subséquente.

Il est convenu que ce Protocole prendra fin et cessera d'être obligatoire en même temps que le Traité auquel il est annexé. (567)

En foi de quoi, les Plénipotentiaires des deux Pays ont signé le présent Protocole et y ont apposé leurs sceaux.

Fait à Paris, en double exemplaire, le 4 août 1896.

(L. S.) SONÉ ARASUKÉ.
(L. S.) G. HANOTAUX.

TARIF.

	DROIT P. %
Teinture d'aniline	10
Rouge d'Andrinople et tissus de coton en couleurs	10
Fer en barres et verge	7½
Extrait de bois de campêche	10
Satins en soie et satins en soie et coton mélangés	10

Acier en saumons, lingots ou plaques...	5
Mousselines de laine écrues ou blanc d'impression	8½
Mousselines de laine teintes ou imprimées	10
Autres tissus de laine pure ou mélangée...	10
Draps de laine pure laine	10
Fils de laine à tisser	8
Savons communs	10
Chandelles et bougies	10
Vin, y compris le champagne	10
Machines à imprimer	5
Instruments scientifiques pour le dessin	10
Bijouterie imitation	10
Lorgnettes	10
Parfumerie	10

CONVENTION SUPPLEMENTAIRE.

Signée à Tokio, le 25e jour du 12e mois de la 31e année de Meiji (1898)*; ratifiée et promulguée le 29e jour du 12e mois de la 31e année de Meiji* (1898). *Cette convention sera mise provisoirement en vigueur à partir du 1er jour du 1er mois de la 32e année de Meiji* (1899), *en attendant l'échange des ratifications.*

Sa Majesté l'Empereur du Japon, et le Président de la République française, ayant en vue de mettre à exécution les dispositions contenues dans le second alinéa de la première partie du Protocole annexé au Traité de Commerce et de Navigation signé à Paris, le 4 Août 1896 entre le Japon et la France, en vertu desquelles un tarif de droits spécifiques doit, dans un délai de six mois à dater de la ratification de ce traité, être substitué au tarif des droits *ad valorem* joint audit Protocole et ladite période de six mois mentionnée ci-dessus ayant été prolongée, ont nommé pour leurs Plénipotentiaires à l'effet de conclure une Convention dans ce but, savoir :

SA MAJESTE L'EMPEREUR DU JAPON :

M. le Vicomte Aoki Siuzo, Junii, Grand-Cordon de l'Ordre Impérial du Soleil Levant, etc. etc. etc., Son Ministre des Affaires Etrangères ;

ET LE PRESIDENT DE LA REPUBLIQUE FRANCAISE :

M. Harmand, François, Jules, Commandeur de la Légion d'honneur, Grand-Croix du Soleil Levant, etc. etc. etc., Envoyé Extraordinaire et Ministre Plénipotentiaire de la République près Sa Majesté l'Empereur du Japon ;

Lesquels, après s'être communiqués leurs pouvoirs, touvés en bonne et due forme, sont convenus de ce qui suit :

ARTICLE PREMIER.

Le tarif des droits d'importation annexé à la présente convention sera applicable aux produits Français importés au Japon, au lieu et place de celui qui est joint au Protocole du 4 Août 1896, dans les mêmes conditions et sous les mêmes réserves.

Elle entrera en vigueur immédiatement après l'échange des ratifications. (569)

ARTICLE DEUXIEME.

La présente Convention aura la même durée que le Traité et le Protocole conclus le 4 Août 1896. (569)

ARTICLE TROISIEME.

La présente Convention sera ratifiée et les ratifications seront échangées à Tokio aussitôt que faire se pourra, mais dans un délai qui ne pourra excéder six mois à partir de la date de la signature des présentes. (570)

Fait à Tokio, en double exemplaire, le 25e jour du 12e mois de la 31e année de Meiji, correspondant au 25 Décembre 1898.

(L. S.) VICOMTE AOKI. (L. S.) J. HARMAND.

TARIF.

Numéros d'ordre.	ARTICLES.	Unités servant de base à la perception.	Droits en *Yen.*
1	Teintures d'aniline	*ad valorem.*	10%
	Tissus de Coton :		
2	Coutils...	Yard Carré.	0.016
3	Toile à voile	,,	0.053
4	Mouchoirs en pièces...	,,	0.011
5	Indiennes de coton (Prints)	,,	0.012
6	Satinettes unies, à dessins ou imprimées, brocades, toiles d'Italie et toiles à chemises (Shirtings) à dessins	,,	0.017
7	Toiles à chemises teintes (dyed shirtings) ...	,,	0.013
8	Toiles à chemises écrues (gray shirtings) ...	,,	0.006
9	Toiles à chemises croisées (twilled shirtings) ...	,,	0.011
10	Toiles à chemises blanches ou blanchies ...	,,	0.010
11	T. cloths...	,,	0.009
12	Cambrais teints en rouge d'Andrinople ...	,,	0.012
13	Velours et velveteens de coton	,,	0.041
14	Linon Victoria (Victoria lawns)	,,	0.006
15	Tous autres tissus de coton pur ou de coton mélangé avec du lin, du chanvre ou avec toute autre matière textile y comprise la laine, mais à condition cependant que le coton prédomine comme poids et qui ne sont pas autrement désignés dans le présent tarif...	*ad valorem.*	10%
	NOTE.—*Il est expressément entendu que les vêtements confectionnés et autres articles tout faits ne rentrent pas dans la définition ci-dessus de tissus de coton.*		
16	Fers et aciers doux en barres et verges dont l'un quelconque des diamètres dépasse un quart de pouce	100 Catties.	0.261
	NOTE.—*Le terme "aciers doux" ci-dessus s'applique à l'acier doux manufacturé par les procédés Siemens, Bessemer, Bassic ou autres similaires, et dont le prix de revient se rapproche du fer de la même catégorie.*		
17	Extrait de bois de campêche	100 Catties.	2.150
18	Satins en soie et satins en soie et coton mélangés...	*ad valorem.*	10%
19	Aciers en saumons, lingots et plaques ...	,,	5%

Numéros d'ordre.	ARTICLES.	Unités servant de base à la perception.	Droits en Yen.
	Tissus de laine pure ou mélangée :	,,	
20	Alpaga	Yard Carré.	0.075
21	Couvertures en pièces (blanketing) et couvert ures (Whipped blankets) avec point de surjetdans le tissu	100 Catties.	7.458
22	Etamines	Yard Carré.	0.031
23	Draps de laine :		
	A.—entièrement, soit en laine cardée, soite n laine peignée, ou bien en laine peignée et cardée mélangée, tels que les draps larges ou étroits,l es draps pour l'armée, les casimirs, les tweeds et les draps pour habillement en laine peignée (Worsted coatings) ...	Yard Carré.	0.093
	B.—partie en laine cardée ou peignée et partie en coton comme les draps dits pilote, président et union	Yard Carré.	
24	Flanelles :		
	A.—en laine pure	,,	0.044
	B.—en laine et coton mélangés	,,	0.030
25	Satins de chine (Italian cloths)	,,	0.029
26	Long Ells	,,	0.036
27	Mousselines de laine :		
	A.—écrues ou blanches d'impression ...	Yard Carré.	0.015
	B.—teintes ou imprimées	,,	0.021
28	Serges :		
	A.—dont la chaine est en laine peignée et la trame en laine cardée	,,	0.056
	B.—Toutes autres serges	*ad valorem.*	10%
29	Tous autres tissus en laine pure ou en laine mélangée avec d'autres matièrest extiles, mais à condition que la laine prédomine en poids et qui ne sont pas autrement désignés au présent tarif	,,	10%
30	Filés de laine peignée ou cardée à tisser teints ou non	100 Catties.	8.000
	NOTE.—*Il est expressément entendu que les vêtements de confection et autres articles tout faits ne rentrent pas dans la catégorie ci-dessus de tissus de laine pure ou mélangée.*		
31	Savons communs	100 Catties.	0.972
32	Chandelles et bougies	,,	2.146
33	Vins non mousseux de toute sor.e provenant		

Numéros d'ordre.	ARTICLES.	Unités servant de base à la perception.	Droits en *Yen.*
	exclusivement de la fermentation naturelle du raisin.		
	1.—n'excédant pas 16 degrés d'alcool pur.		
	A.—en fûts ou barriques	Hectolitre.	1.242
	B.—par caisse de 12 bouteilles contenant chaque bouteille plus d'un demi litre sans dépasser un litre, ou par caisse de 24 demi-bouteilles, contenant chaque demi-bouteille jusqu' à un demi litre	par caisse.	0.760
	2.—Contenant de 16 à 24 degrés d'alcool pur.		
	A.—en fûts ou barriques	Hectolitre.	7.925
	B.—par caisse de 12 bouteilles contenant chaque bouteille plus d'un demi litre sans dépasser un litre, ou par caisse de 24 demi-bouteilles, contenant chaque demi-bouteille jusq'à un demi litre	par caisse.	0.680
	NOTE.—*Le Vermouth est classé parmi les vins non mousseux et en suit le tarif selon le degré de force alcoolique.*		
34	Champagne et tous autres vins mousseux provenant exclusivement de la fermentation naturelle du raisin. par caisse de 24 demi-bouteilles contenant chaque demi-bouteille jusq'à un demi-litre au plus, ou par caisse de 12 bouteilles contenant chaque bouteille plus d'un demi litre sans excéder un litre	par caisse.	1.550
35	Machines à imprimer	*ad valorem.*	5%
36	Instruments scientifiques pour le dessin ...	*ad valorem.*	10%
37	Bijouterie d'imitation :		
	Petits ouvrages de luxe servant à la parure personnelle composés principalement en métaux communs, tels que l'aluminium, le bronze-aluminium, le nickel, le maillechort, l'argentan, le cuivre, l'acier, le zinc, le plomb, l'étain, le fer, etc., ou bien encore de jais, de bois durci, de graines, de coquillages, de corne, de celluloïde, d'os et d'autres matières communes similaires.		
	1.—dorés, argentés, passés à l'eau forte, brunis, polis, vernis, étainés, émaillés, oxydés ou nickelés, garnis de vitrifications, d'émaux		

Numéros d'ordre.	ARTICLES.	Unités servant de base à la perception.	Droits en Yen.
	cloisonnés ou non, de perles fausses, de corail vrai ou faux, de fausses pierres précieuses ...	*ad valorem.*	10%
	2.—Garnis de nacre, d'ivoire ou d'écaille, plaqués d'or ou d'argent, lorsque la valeur de la garniture ou du plaqué ne dépasse pas celle de la composition principale	*ad valorem.*	10%
	NOTE.—*Les bijoux les plus usuellemet employés sont les Bagues—Colliers—Anneaux de tout genre—Bracelets—Pendants d'oreille—Médailles—Médaillons—Broches—Peignes—Epingles à cheveux d'ornement—Epingles à chapeau—Epingles de cravate—Breloques—Boucles—Agrafes—Tabatières—Boutons (à l'exception des boutons communs)—Coulants—Bourses—Poignées et viroles de cannes, parapluies ou ombrelles—Sequins—Porte-crayons et porte-mines et généralement tous autres petits objets ci-dessus non dénommés et servant a la parure.*		
38	Lorgnettes au jumelles :		
	A.—Construites ou montées en écaille—nacre—ivoire—or—argent—platine, niellés, émaillés ou non, ou en matière précieuse ou de fantaisie ou de luxe, ou garnies de pierres précieuses ou de perles	par pièce.	0.750
	B.—Toutes autres lorgnettes ou jumelles ...	par pièce.	0.250
39	Parfumerie :		
	A.—Savons de toilette.	par catty.	0.070
	B.—Parfumerie liquide.		
	Essences ou extraits de senteur—Huiles—Vinaigres—Eaux et alcools de toilette ou de senteur—autres liquides du même genre ...	par catty.	0.092
	C.—Parfumerie sèche.		
	Sels—poudres—cosmétiques—pommades—pâtes et autres préparations de parfumerie pour la toilette non liquides	*ad valorem.*	10%
	NOTE.—*Sont exclus de la parfumerie, les articles suivants : Musc naturel ou artificiel, civette et ambre gris.*		

POIDS, MESURES ET MONNAIES.

Les monnaies, poids et mesures dont il est question au tarif ci-dessus correspondent :

Le Catty à 600 grammes du système métrique français.
Le Yard de longueur à 0.^{m} 9144.
Le Yard carré à 0.^{mc} 8361.
L'Hectolitre vaut 100 litres du système métrique français :
Le Yen est l'unité de monnaie légale au Japon.

REGLES POUR CALCULER LES DROITS AD VALOREM.

Les droits d'importation *ad valorem* compris dans le tarif qui précède seront calculés sur le prix récl des marchandises au lieu d'achat, de production ou de fabrication, augumenté des frais de transport et d'assurance dudit lieu jusqu' au port de déchargement, ainsi que des frais de commission, s'il en existe.

REGLES POUR LE MESURAGE DES TISSUS.

Pour le mesurage des tissus soumis aux droits spécifiques du tarif ci-dessus, la douane ne tiendra pas compte des fractions ne dépassant pas un demi-pouce anglais. Elle comptera comme un pouce entier toute fraction supérieure à un demi-pouce.

Il est entendu qu'il nersera pas tenu compte des lisières pour le mesurage des tissus en question.

Tokyo, 23 novembre 1899.

Monsieur le Vicomte,

J'ai l'honneur d'informer Votre Excellence que, par une lettre en date du 12 Octobre, M. le Ministre des Affaires Etrangères me charge de prévenir le gouvernement Impérial que le gouvernement de la République réclame l'extension

à notre Colonie de la Réunion du Traité signé le 4 Août 1896 entre la France et le Japon et compte, en vertu de l'article 22, y faire appliquer les dispositions de cet acte international.

Je serais reconnaissant à Votre Excellence de vouloir bien me donner le plus tôt possible acte de la présente notification, et je profite de cette occasion pour Lui renouveler les assurances de ma très-haute considération.

J. HARMAND.

Son Excellence,
le Vicomte AOKI,
Ministre des Affaires Etrangères
& & & à Tokyo.

Tokyo, le 7 Février 1900.

Monsieur le Vicomte,

Conformément aux instructions que je viens de recevoir de Son Excellence le Ministre des Affaires Etrangères, j'ai l'honneur de notifier à Votre Excellence que le Gouvernement de la République déclare adhérer au traité du 4 Août 1896, suivant les termes de l'article 22 dudit instrument, pour les colonies de S^{t} Pièrre et Miquelon, de la Martinique, de la Guadeloupe, de la Guyane et de l'Inde Française.

Veuillez agréer, Monsieur le Vicomte, les assurances de ma très-haute considération.

J. HARMAND.

Son Excellence,
Le Vicomte AOKI,
Ministre des Affaires Etrangères.

DECLARATION.

Signée à Paris le 10e jour du 6e mois de le 40e année de Meiji (1907); *Promulguée le 17e jour du 6e mois de la 40e année de Meiji* (1907).

Les deux Gouvernements du Japon et de la France, se réservant d'engager des pourparlers en vue de la conclusion d'une convention de commerce en ce qui concerne les relations entre le Japon et l'Indo-Chine française, conviennent de ce qui suit :

Le traitement de la nation la plus favorisée sera accordé aux fonctionnaires et sujets du Japon dans l'Indo-Chine française pour tout ce qui concerne leurs personnes et la protection de leurs biens et ce même traitement sera appliqué aux sujets et protégés de l'Indo Chine française dans l'Empire du Japon, et cela jusqu' à l'expiration du Traité de Commerce et de Navigation signé eutre le Japon et la France le 4 Août 1896.

Paris, le 10 Juin 1907.

(L. S.) S. KURINO.
(L. S.) S. PICHON.

PROTOCOLE.

Signée à Tokio, le 19e jour du 6e mois de la 32e année de Meiji (1899); *Promulgué le 30e jour du 6e mois de la 32e année de Meiji* (1899).

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de la République Française, considérant qu'il est désirable dans l'intérêt de la bonne administration de la justice, qu'un accord soit établi au sujet de la juridiction par rapport aux causes pendantes devant les tirbunaux français au Japon au moment où le Traité de Commerce et de Navigation conclu entre le Japon et la France le 4e jour du 8e mois de la 29e année de Meiji, entrera en vigueur sont convenus de ce qui suit.

La juridiction des tribunaux français au Japon, à l'égard des causes et procédures, tant civiles que criminelles, qui seraient pendantes devant lesdits tribunaux au moment de l'entrée en vigueur dudit Traité de Commerce et de Naivgation, continuera à être exercée jusqu'à décision finale et définitive.

En foi de quoi, les soussignés Ministre des Affaires Etrangères de Sa Majesté l'Empereur du Japon et Envoyé Extraordinaire et Ministre Plénipotentiaire de la République Française au Japon dûment autorisés à cet effet, ont signé le présent Protocole et y ont apposé leurs cachets.

Fait à Tokio en double expédition le 19e jour du 6e mois de la 32e année de Meiji.

(L. S.) VICOMTE AOKI. (L. S.) J. HARMAND.

ARRANGEMENT.

Signé à Paris, le 10e jour du 6e mois de la 40e année de Meiji (1907); *Promulgué le 17e jour du 6e mois de la 40e année de Meiji* (1907)

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de la République Française, animés du désir de fortifier les relations d'amitié qui existent entre eux et d'en écarter pour l'avenir toute cause de malentendu, ont décidé de conclure l'arrangement suivant:

" Les Gouvernements du Japon et de la France, d'accord pour respecter l'indépendance et l'intégrité de la Chine, ainsi que le principe de l'égalité de traitement dans ce pays pour le commerce et les ressortissants de toutes les nations, et ayant un intérêt spécial à voir l'ordre et un état de choses pacifique, garantis notamment dans les régions de l'empire chinois voisines des territoires où ils ont des droits de souveraineté, de protection ou d'occupation, s'engagent à s'appuyer mutuellement pour assurer la paix et la sécurité dans ces régions, en vue du maintien de la situation respective et des droits territoriaux des deux parties contractantes sur le continent asiatique."

En foi de quoi, les soussignés : Son Excellence M. Kurino, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté l'Empereur de Japon près le Président de la République Française et Son Excellence M. Stephen Pichon, Sénateur, Ministre des Affaires Etrangères, autorisés par leurs Gouvernements respectifs, ont signé cet arrangement et y ont apposé leurs cachets.

Fait à Paris, le 10 Juin 1907.

(L. S.) S. KURINO.
(L. S.) S. PICHON.

GRANDE-BRETAGNE ET IRLANDE.

TREATY OF COMMERCE AND NAVIGATION.

Signed at London, 16th day of 7th month, 27th year of Meiji (1894); *Ratified 24th day of 8th month, 27th year of Meiji* (1894); *Ratifications exchanged at Tokio, 25th day of 8th month, 27th year of Meiji* (1894): *and Promulgated 27th day of 8th month, 27th year of Meiji* (1894).

His Majesty the Emperor of Japan, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say :—

His Majesty the Emperor of Japan, Viscount Aoki Siuzo, Junii, First Class of the Imperial Order of the Sacred Treasure, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of St. James' :

And Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable John, Earl of Kimberley, Knight of the Most Noble Order of the Garter, &c., &c., Her Britannic Majesty's Secretary of State for Foreign Affairs ;

Who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel or reside in any part of the dominions and possessions of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights ; they shall at liberty equally with native subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

In whatever relates to rights of residence and travel ; to the possession of goods and effects of any kind ; to the succession to personal estate by will or otherwise, and the disposal of property of any sort in any manner whatsoever, which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the dominions and possessions of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other entire liberty of conscience, and, subject to the Laws, Ordinances and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation. (583)

ARTICLE II.

The subjects of either of the Contracting Parties residing in the dominions and possessions of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia ; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions. (584)

ARTICLE III.

There shall be reciprocal freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties.

The subjects of each of the High Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in

all kinds of produce, manufactures and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects; and they may there own or hire and occupy the houses, manufactories, warehouses, shops and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the Laws, Police and Customs Regulations of the country like native subjects.

They shall have liberty to come with their ships and cargoes to all places, ports and rivers in the dominions and possessions of the other, which are, or may be, opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation, subject always to the Laws, Ordinances and Regulations of each country. (584)

ARTICLE IV.

The dwellings, manufactories, warehouses and shops of the subjects of each of the High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditons and with the forms prescribed by the Laws, Ordinances and Regulations for subjects of the country.

ARTICLE V.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the

dominions and possesions of Her Britannic Majesty, from whatever place arriving, than on the like article produced or manufactured in any other foreign country ; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions of either of the High Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (585)

ARTICLE VI.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country ; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country. (586)

ARTICLE VII.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities and drawbacks. (586)

ARTICLE VIII.

All articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels ; and, reciprocally, all articles which are, or may be, legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other

or higher duties or charges of whatever denomination than if such articles were imported in British vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article which is, or or may be, legally exported therefrom, whether such exportation shall take place in Japanese or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power (586)

ARTICLE IX.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination. (587)

ARTICLE X.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (587)

ARTICLE XI.

The coasting trade of both the High Contracting Parties is excepted from

the provisions of the present Treaty, and shall be regulated according to the Laws, Ordinances and Regulations of Japan and of Great Britain, respectively. It is, however, understood that Japanese subjects in the dominions and possessions of Her Britannie Majesty, and British subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such Laws, Ordinances and Regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the Laws and Custom-house Regulations of the two countries.

The Japanese Government, however, agrees to allow British vessels to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata and Ebisu-minato. (588)

ARTICLE XII.

Any ship of war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessels should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of the occurrence, or if there be no such Consular officer,

they shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessel wrecked or cast on shore in the territorial waters of Her Britannic Majesty shall take place in accordance with the Laws, Ordinances and Regulations of Great Britain, and, reciprocally, all measures of salvage relative to British vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the Laws, Ordinances and Regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws of the country and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given.
(588)

ARTICLE XIII.

All vessels which, according to Japanese law, are to be deemed Japanese

vessels, and all vessels which, according to British law, are to be deemed British vessels, shall, for the purposes of this Treaty, be deemed Japanese and British vessels, respectively. (590)

ARTICLE XIV.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place. (590)

ARTICLE XV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects or citizens of any other State, shall be extended immediately and unconditionally to the Government, ships, subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed in all respects by the other on the footing of the most favoured nation. (590)

ARTICLE XVI.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agent in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities, which are, or may hereafter be, granted to Consular officers of the most favoured nation. (590)

ARTICLE XVII.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law. (591)

ARTICLE XVIII.

Her Britannic Majesty's Government, so far as they are concerned, give their consent to the following arrangement :—

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements, shall at the same time be tranferred to the said Japanese authorities.

When such incorporation takes place, existing leases in perpetuity under which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular authorities mentioned in the same are in all cases to be replaced by the Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purpose for which they were originally set apart. (591)

ARTICLE XIX.

The stipulations of the present Treaty shall be applicable, so far as the laws permit, to all the colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to :—

India.

The Dominion of Canada.

Newfoundland.

The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named colonies or foreign possessions, on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tokio within two years from the date of the exchange of ratifictions of the present Treaty. (592)

ARTICLE XX.

The present Treaty shall, from the date it comes into force, be substituted in place of the Conventions, respectively of the 23rd day of the 8th month of the 7th year of Kayei, corresponding to the 14th day of October, 1854, and of the 13th day of the 5th month of the 2nd year of Keiou, corresponding to the 25th day of June, 1866, the Treaty of the 18th day of the 7th month of the 5th year of Ansei, corresponding to the 26th day of August, 1858, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Conventions, Treaty, Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by British Courts in Japan, and all the exceptional privileges, exemptions and immunities then enjoyed by British subjects as a part of, or appurtenant to, such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts. (592)

ARTICLE XXI.

The present Treaty shall not take effect until at least five years after its signature. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to Her Britannic Majesty's Govern-

ment of its wish to have the same brought into operation. Such notice may be given at any time after the expiration of four years from the date hereof. The Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine. (594)

ARTICLE XXII.

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Tokio as soon as possible, and not later than six months from the present date.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms. (594)

Done at London, in duplicate, this sixteenth day of the seventh month of the twenty-seventh year of Meiji.

(L. S.) AOKI.
(L. S.) KIMBERLEY.

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government fo Her Majesty the Queen of Great Britain and Ireland and Empress of India, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations :—

1. It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff hereunto annexed shall, subject to the provisions of Article XXIII. of the Treaty of 1858 at present subsisting between the Contracing Parties, as long as the said Treaty remains in force and thereafter, subject to the provisions of Article V. and XV. of the Treaty signed this day, be applicable to the articles therein enumerated, being the growth, produce or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan. But nothing contained in this Protocol, or the Tariff hereunto annexed shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs, or any other indecent or obscene articles; articles in violation of patent, trade-mark or copyright laws of Japan; or any other article which, for sanitary reasons or in view of public security or morals, might offer any danger.

The *ad valorem* duties established by the said Tariff shall, so far as may be deemed practicable, be converted into specific duties by a Supplementary Convention, which shall be concluded between the two Governments within six months from the date of this Protocol; the medium prices, as shown by the Japaneses Customs Returns during the six calendar months preceding the date of the present Protocol, with the addition of the cost of insurance and transportation from the place of purchase, production or fabrication, to the port of discharge, as well as commission, if any, shall be taken as the basis for such conversion. In the event of the Supplementary Convention not having come into force before the expiration of the period fixed for the said Tariff to take effect, *ad valorem* duties in conformity with the rule recited at the end of the said Tariff shall, in the meantime, be levied.

In respect of articles not enumerated in the said Tariff, the General Statutory Tariff of Japan for the time being in force shall, from the same time, apply, subject as aforesaid to the provisions of Article XXIII. of the Treaty of 1858 and Articles V. and XV. of the Treaty signed this day, respectively.

From the date the Tariffs aforesaid take effect, the Import Tariff now in operation in Japan in respect of goods and marchandize imported into Japan by British subjects shall cease to be binding.

In all other respects the stipulations of the existing Treaties and Conventions shall be maintained unconditionally until the time when the Treaty of Commerce and Navigation signed this day comes into force. (594)

2. The Japanese Government, pending the opening of the country to British subjects, agrees to extend the existing passport system in such a manner as to allow British subjects, on the production of a certificate of recommendation from the British Representative in Tokio, or from any of Her Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the chief authorities in the Prefecture in which an open port is situated; it deing understood that the existing Rules and Regulations governing British subjects who visit the interior of the Empire are to be maintained. (496)

3. The Japanese Government undertakes, before the cessation of British Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial Property and Copyright. (496)

4. It is understood between the two High Contracting Parties that, if Japan think it necessary at any time to levy an additional duty on the production or manufacture of refined sugar in Japan, an increased customs duty equivalent in amount may be leveid on British refined sugar when imported into Japan, so long as such additional excise tax or inland duty continues to be raised.

Provided always that British refined sugar shall in this respect be entitled to the treatment accorded to refined sugar being the produce or manufacture of the most favoured nation. (496)

5. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms. (496)

Done at London, in duplicate, this sixteenth day of the seventh month of the twenty seventh year of Meiji.

(L. S.) AOKI.
(L. S.) KIMBERLEY.

ANNEX (TARIFF).

ARTICLES.	*Ad valorem* Rates of Duty.
	Per cent.
Caoutchouk, manufactures of	10
Cement, Portland	5
Cotton—	
Yarns	8
Tissues of all sorts, plain or mixed with tissues of flax, hemp or other fibre, including wool, the cotton, however, predominating ...	10
Glass, window, ordinary—	
(*a.*) Uncoloured and unstained	8
(*b.*) Coloured, stained or ground	10
Hats, including also hats of felt...	10
Indigo, dry	10
Iron and steel—	
Pig and ingot	5
Rails	5
Bar, rod, plate and sheet	7½
Tinned plates	10
Galvanized sheet	10
Pipes and tubes...	10
Lead, pig, ingot and slab	5
Leather—	
Sole	15
Other kinds	10
Linen—	
Yarns	8
Tissues	10
Mercury or quicksilver	5

ARTICLES.	*Ad valorem* Rates of Duty.
	Per cent.
Milk, condensed or dessicated	5
Nails, iron	10
Oil, paraffin	10
Paint in oil	10
Paper, printing	10
Refined sugar...	10
Saltpetre	5
Screws, bolts and nuts, iron	10
Silk satins, and silk and cotton mixtures ...	15
Tin—	
Block, pig and slab	5
Plates	10
Wax, paraffin...	5
Wire—	
Telegraph	5
Iron and steel, and small rod iron and steel, not exceeding ¼ inch in diameter	10
Woollen and worsted—	
Yarns	8
Tissues of all sorts, plain or mixed with other material, the wool, however, predominating...	10
Yarns of all sorts, not specially provided for...	10
Zinc—	
Block, pig and slab	5
Sheet	7½

Rule for calculating *ad valorem* Duties.

Import duties payable *ad valorem* under this Tariff shall be calculated on the actual cost of the articles at the place of purchase, production or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production or fabrication, to the port of discharge, as well as commission, if any exists.

Foreign Office, July 16, 1894.

Sir,

With reference to Article XIX. of the Treaty between Great Britain and Japan signed this day, in view of the fact that some of the British Colonies and foreign possessions enumerated in that Article might be prevented from acceding to the present Treaty by reason of their inability to accept the stipulations relating to military service contained in Article II. of the said Treaty, and in order to avoid future misunderstandings, Her Majesty's Government request from the Government of Japan an assurance that any of the said British Colonies and possessions may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article II.

I have the honour to be,
with the highest consideration,
Sir,
Your most obedient,
humble Servant,
(Signed) KIMBERLEY.

Viscount AOKI,
&c., &c., &c.

Japanese Legation, London, July 16, 1894.

Monsieur le Comte,

In reply to the note of Her Majesty's Government, referring to Article XIX. of the Treaty between Great Britain and Japan signed this day, and requesting, for the reasons given in the said note, an assurance that any of the British Colonies and foreign possessions enumerated in that Article may accede to the present Treaty under the condition that, notwithstanding such accession,

they shall not be bound by the stipulations of Article II., the Government of Japan hereby give the assurance desired.

I have the honour to be,
with the highest consideration,
Monsieur le Comte,
Your Excellency's most obedient,
humble Servant,
(Signed) AOKI.

The Right Honourable
Earl of KIMBERLEY, K. G.,
&c., &c., &c.

SUPPLEMENTARY CONVENTION.

Signed at Tokio, 16th day of 7th month, 28th year of Meiji (1895); *Ratified 18th day of 11th month, 28th year of Meiji* (1895); *Ratifications exchanged at Tokio, 21st day of 11th month, 28th year of Meiji* (1895); *and Promulgated 29th day of 11th month, 28th year of Meiji* (1895).

Whereas, by the Protocol signed at London, on the 16th day of the 7th month of the 27th year of Meiji, it was agreed between the Government of His Majesty the Emperor of Japan and the Government of Her Britannic Majesty, that the *ad valorem* duties of the Tariff annexed to the aforesaid Protocol should, so far as might be deemed practicable, be converted into specific duties by means of a Supplementary Convention, to be concluded between the two Governments within six months from the date of that Protocol; and

Whereas, this period was extended by subsequent arrangement;

The High Contracting Parties have appointed as their Plenipotentiaries to conclude a Convention for this purpose, that is to say:

His Majesty the Emperor of Japan, Marquis Saionzi Kimmochi, Junii, First Class of the Order of the Sacred Treasure, His Imperial Majesty's Minister of

State for Education and Acting Minister of State for Foreign Affairs, and Her Britannic Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Gerard Augustus Lowther, Her Britannic Majesty's Chargé d'Affaires ;

Who, having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles :—

1.—The Tariff annexed to this Convention shall be substituted for the *ad valorem* Tariff annexed to the aforesaid Protocol of the 16th day of the 7th month of the 27th year of Meiji ; it shall be subject to all the stipulations contained in Article I. of that Protocol, in so far as these are applicable, and it shall come into force one month after the exchange of the ratifications of this Convention. (601)

2.—The specific duties established by this Convention shall be subject to triennial readjustment. Such readjustment shall be based on the difference between the average of the two quarterly rates of exchange adopted by the Japanese Customs during the six months ending the 30th day of the 6th month of the 27th year of Meiji, and the average of the rates of exchange adopted by the Japanese Customs for the four quarters preceding that in which each successive period of three years expires.

The schedule of readjusted duties shall be published by the Japanese Government three months in advance, and shall take effect immediately upon the expiration of the said period.

It is understood between the High Contracting Parties that the operation of this stipulation shall be subject to the acceptance of a similar arrangement by the other Powers with whom Conventional Tariffs are now being negotiated by Japan. (601)

3.—The quarterly rates of exchange mentioned in the preceding article are the rates determining the comparative values, as entered in the quarterly tables published by the Japanese Department of Finance, of the present Japanese silver Yen on the one hand, and of the English Pound Sterling on the other. (602)

4.—The present Convention shall have the same duration as the Treaty and Protocol concluded on the 16th day of the 7th month of the 27th year of Meiji, of which it is a complement. (601)

5.—The present Convention shall be ratified, and the ratifications shall be exchanged at Tokio as soon as possible, and not later than six months from the present date. (602)

Done at Tokio, in duplicate, this 16th day of the 7th month of the 28th year of Meiji.

(L. S.) MARQUIS SAIONZI
(L. S.) GERARD AUGUSTUS LOWTHER.

ANNEX (TARIFF).

No.	ARTICLE.		DUTY.
			Yen.
1	Caoutchouk, manufactures of	*ad valorem.*	10 per cent.
2	Cement, Portland	100 Catties.	0.065
3	Cotton yarns, plain or dyed	do.	4.180
	Cotton tissues :—		
4	Drills	Sq. Yard.	0.016
5	Duck	do.	0.053
6	Handkerchiefs in the piece	do.	0.011
7	Prints	do.	0.012
8	Sateens, plain, figured or printed, brocades, Italians and figured shirtings. ...	do.	0.017
9	Shirtings, dyed	do.	0.013
10	,, gray	do.	0.006
11	,, twilled	do.	0.011
12	,, white or bleached	do.	0.010
13	T-cloths	do.	0.009
14	Turkey red cambrics	do.	0.012
15	Velvets or velveteens	do.	0.041
16	Victoria lawns	do.	0.006
17	All other sorts of pure cotton tissues, and all tissues of cotton mixed with flax, hemp or other fibre, including wool, the cotton, however, predominating in weight, not specially provided for in this Tariff ...	*ad valorem.*	10 per cent.
	NOTE.—*It is exrpessly understood that ready-made clothing and other*		

No.	ARTICLE.		DUTY.
			Yen.
	made-up articles are not included under the heading of Cotton Tissues.		
18	Glass, window, ordinary :—		
	a) Uncolored and unstained	100 Sq. Ft.	0.302
	b) Colored, stained and ground	*ad valorem.*	10 per cent.
19	Hats, including also hats of felt	do.	10 per cent.
20	Indigo, dry	100 Catties.	12.953
	Iron and mild steel :—		
21	Pig and ingot	do.	0.083
22	Bar and rod, exceeding ¼ inch in diameter	do.	0.261
23	Nails, including spikes, sprigs, tacks and brads :—		
	a) Plain...	do.	0.573
	b) Galvanized	*ad valorem.*	10 per cent.
24	Pipes and tubes	do.	10 per cent.
25	Plate and sheet	100 Catties.	0.296
26	Rails	do.	0.129
27	Screws, bolts and nuts, plain and galvanized	*ad oalorem.*	10 per cent.
28	Sheet, galvanized, both plain and corrugated	100 Catties.	0.740
29	Tinned plates :—		
	a) Ordinary...	do.	0.691
	b) Crystallized	*ad valorem.*	10 per cent.
30	Wire, and small rod not exceeding ¼ inch in diameter	100 Catties.	0.503
31	Wire, telegraph or galvanized	do.	0.256
	NOTE.—*By the term "mild steel" as used in this Tariff is understood mild steel manufactured by the Siemens, Bessemer, and Bacic or similar processes, and approximating in value to iron of the same class in this Tariff.*		
32	Lead, pig, ingot and slab	do.	0.316
33	Leather :—		
	a) Sole	do.	5.690
	b) Other kinds	*ad valorem.*	10 per cent.
34	Linen yarns, plain or dyed	100 Catties.	6.527
	Linen tissues :—		
35	Canvas	Sq. Yard.	0.047
36	All other sorts	*ad valorem.*	10 per cent.

No.	ARTICLE.		DUTY.
			Yen.
	NOTE.—*It is expressly understood that ready-made clothing and other made-up articles are not included under the heading of Linen Tissues.*		
37	Mercury or quicksilver	100 Catties.	5.048
38	Milk, condensed or desiccated	doz. 1 lb. tins and proportionately for tins of other weights.	0.123
39	Oil, paraffin	*ad valorem.*	10 per cent.
40	Paint in oil	100 Catties.	1.304
41	Paper, printing	do.	1.163
42	Saltpetre (nitrate of potash)	do.	0.490
43	Silk faced cotton satins	*ad valorem.*	15 per cent.
	NOTE.—*It is expressly understood that all other mixed tissues of cotton and silk, and wool and silk where the cotton or wool predominates in weight, are to be classed for duty under Nos. 17 and 61 of this Tariff respectively.*		
	Steel, (other than mild steel) :—		
44	Ingot	do.	5 per cent.
45	Bar, rod, plate and sheet	do.	7½per cent.
46	Wire, and small rod not exceeding ¼ inch in		
47	diameter	100 Catties.	1.819
	Sugar, refined :—		
	a) No. 15 to No. 20 inclusive, Dutch standard in color	do.	0.748
	b) Above No. 20, Dutch standard in color	do.	0.827
	Tin :—		
48	Block, pig and slab	do.	1.992
49	Plates	*ad valorem.*	10 per cent.
50	Wax, paraffin	100 Catties.	0.544
51	Wollen and worsted yarns, plain or dyed ...	do.	9.169
	Wollen and worsted tissues, pure or mixed with other material :—		
52	Alpacas	Sq. Yard.	0.075
53	Blanketing and whipped blankets, in plain weave	100 Catties.	7.458
54	Buntings	Sq. Yard.	0.031
55	Cloth :—		
	a) Wholly of woollen or worsted yarn, or		

No.	ARTICLE.		DUTY.
			Yen.
	of woollen and worsted yarns, such as broad, narrow and army cloth, cassimeres, tweeds and worsted coatings...	do.	0.093
	b) In part of woollen or worsted yarn and in part of cotton yarn, such as pilot, president and union cloth ...	do.	0.039
56	Flannels	do.	0.044
57	Italian cloth	do.	0.029
58	Long ells	do.	0.036
59	Mousseline de Laine	do.	0.021
60	Serges :—		
	a) Where the warp is worsted and the weft woollen	do.	0.056
	b) All other kinds	*ad valorem.*	10 per cent.
61	All other sorts, pure or mixed with other material, the wool, however, predominating in weight, not specially provided for in this Tariff	do.	10 per cent.
	NOTE.—*It is expressly understood that ready-made clothing and other made-up articles are not included under the heading of Woollen and Worsted Tissues.*		
62	Yarns, all sorts, not specially provided for in this Tariff	do.	10 per cent.
	Zinc :—		
63	Block, pig and slab	100 Catties.	0.451
64	Sheet	do.	0.928

WEIGHTS, MEASURES AND COIN.

The catty mentioned in this Tariff is the Japanese weight. It is equal to 600 grammes of the metric system of weights, or 1.32277 lbs. English avoirdupois weight.

The pound is the English avoirdupois weight.

The square yard and square foot are the English Imperial surface measures.

The Yen is the present Japanese silver Yen of 900 fineness and 416 grains in weight.

RULE FOR CALCULATING *AD VALOREM* DUTIES.

Import duties payable *ad valorem* under this Tariff shall be calculated on the actual cost of the articles at the place of purchase, prodution, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production or fabrication, to the port of discharge, as well as commission, if any exists.

RULE FOR THE MEASUREMENT OF TISSUES.

In determing the dutiable width of any Tissue the Customs shall discard all fractions of an inch not exceeding half an inch, and shall count as a full inch all fractions exceeding half an inch.

NOTE.—*It is understood that selvedges shall not be included in the measurement of Tissues*

H. B. M.'s Legation,

Tokio, November, 26th, 1895.

Monsieur le Ministre,

I have the honour to state that I have received instructions from Her Majesty's Principal Secretary of State for Foreign Affairs to notify to the Imperial Goverment that the Colonies of Newfoundland and Natal have expressed a desire that the stipulations of the Treaty signed on July 16, 1894, between Great Britain and Japan, should be made applicable to them.

In conveying this desire on the part of these Colonies to Your Excellency, I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

(L. S.) ERNEST SATOW.

His Excellency

The Marquis SAIONZI KINMOCHI,

H. I. J. M.'s Acting Minister for Foreign Affairs.

PROTOCOL.

Whereas, Queensland, a Colony of Her Britannic Majesty, has this day, in due form, acceded to the Treaty of Commerce and Navigation between Japan and Great Britain, signed in London on the 16th day of the 7th month of the 27th year of Meiji, in accordance with the provisions of Article XIX. thereof;

The undersigned, His Imperial Japanese Majesty's Minister of State for Foreign Affairs, and Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, duly authorized thereto by their respective Governments, have agreed :—

1. That the stipulations contained in the first and third Articles of the above-named Treaty shall not in any way effect the laws, ordinances and regulations with regard to trade, the immigration of labourers and artizans, police and public security, which are in force or may hereafter be enacted in Japan or in the said Colony of Queensland.

2. That the said Treaty shall cease to be binding, as between Japan and the said Colony of Queensland, at the expiration of twelve months after notice shall have been given on either side of a desire to terminate the same.

In witness whereof, the undersigned have signed the present Protocol, and affixed thereto their seals.

Done at Tokio, this 16th day of the 3rd month of the 30th year of Meiji.

大 隈 重 信 (印) (L. S.) ERNEST SATOW.

H. B. M.'s Legation, Tokio, March 16th, 1897.

Monsieur le Ministre,

With reference to the Protocol signed by us this day providing for the accession of the Colony of Queensland to the Treaty of Commerce and Navigation between our respective countries, signed in London on the 16th July, 1894, I have the honour to enquire whether the Japanese Government agrees that any of the British Colonies and Possessions enumerated in Article XIX. of that

Treaty, which have not already declared their accession, may do so under the same terms and conditions as Queensland.

I take this opportunity to renew to Your Excellency the assurance of my high consideration.

(L. S.) ERNEST SATOW,
H. B. M.'s Envoy Extraordinary
and Minister Plenipotentiary in Japan.

His Excellency
Count OKUMA SHIGENOBU,
H. I. J. M.'s Minister for Foreign Affairs.

CONVENTION REGARDING THE COMMERCIAL RELATIONS BETWEEN JAPAN AND INDIA.

Signed at Tokio, 29th day of 8th month, 37th year of Meiji (1904); *Ratified 14th day of 3rd month, 38th year of Meiji* (1904); *Ratifications exchanged at Tokio, 15th day of 4th month, 38th year of Meiji* (1904); *and Promulgated 15th day of 4th month, 38th year of Meiji* (1904).

His Majesty the Emperor of Japan and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of facilitating the commercial relations between Japan and India, have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries :

His Majesty the Emperor of Japan, Baron Jutaro Komura, Jusammi, First Class of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister of State for Foreign Affairs ; and

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Claude Maxwell MacDonald, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable

Order of the Bath, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary ;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows :—

ARTICLE I.

Any article, the produe or manufacture of the dominions and possessions of His Majesty the Emperor of Japan shall enjoy, upon importation into India, the lowest customs duties applicable to similar products of any other foreign origin. (614)

ARTICLE II.

Reciprocally any article, the produce or manufacture of India shall enjoy, upon importation into the dominions and possessions of His Majesty the Emperor of Japan, the lowest customs duties applicable to similar products of any other foreign origin. (614)

ARTICLE III.

The privileges and engagements of the present Convention shall extend to native states of India which by treaty with His Britannic Majesty or therwise may be entitled to be placed with regard to the stipulations of the Convention on the same footing as British India.

His Britannic Majesty's Government shall communicate from time to time the Imperial Government of Japan a list of these states. (614)

ARTICLE IV.

The present Convention shall be ratified and the ratifications shall be exchanged at Tokio as soon as possible. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of six months from the day on which one of the High Contracting Parties shall have announced the intention of terminating it. (614)

In witness whereof, the above mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate at Tokio, in the Japanese and English languages, this

29th day of 8th month of the 37th year of Meiji, corresponding to the 29th day of August, of year one thousand nine hundred and four.

(L. S.) Baron JUTARO KOMURA.
(L. S.) CLAUDE. M. MACDONALD.

CONVENTION REGARDING THE COMMERCIAL RELATIONS BETWEEN JAPAN AND CANADA.

Signed at Tokio, 21st day of 1st month, 39th year of Meiji (1906); *Ratified 11th day of 7th month, 39th year of Meiji* (1906); *Ratifications exchanged at Tokio, 12th day of 7th month, 39th year of Meiji* (1906); and *Promulgated 12th day of 7th month, 39th year of Meiji* (1906).

His Majesty the Emperor of Japan and His Majesty the King of the United Kindgom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of facilitating the commercial relations between Japan and Canada, have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries:

His Majesty the Emperor of Japan, Takaaki Kato, Shoshii, First Class of the Imperial Order of the Sacred Treasure, His Imperial Majesty's Minister of State for Foreign Affairs; and

His Majesty the King of the United Kindom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Claude Maxwell MacDonald, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable Order of the Bath, His Britannic Majesty's Ambassador to Japan;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:

ARTICLE I.

The two High Contracting Parties agree that the stipulations of the Treaty of Commerce and Navigation between Japan and Great Britain signed

at London on the 16th day of the 7th month of the 27th year of Meiji (corresponding to the 16th day of July, 1894) and of the Supplementary Convention between Japan and Great Britain signed at Tokio on the 16th day of the 7th month of the 28th year of Meiji (corresponding to the 16th day of July, 1895), shall be applied to the intercourse, commerce and navigation between the Empire of Japan and the British Dominion of Canada. (616)

ARTICLE II.

The present Convention shall be ratified and the ratifications thereof shall be exchanged at Tokio as soon as possible. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of six months from the day on which one of the High Contracting Parties shall have announced the intention of terminating it. (616)

In witness whereof, the above mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done in duplicate at Tokio, in the Japanese and English languages, this 31st day of the 1st month of the 39th year of Meiji, corresponding to the 31st day of January of year one thousand nine hundred and six.

(L. S.) KATO TAKAAKI.
(L. S.) CLAUDE M. MACDONALD.

CONVENTION RESPECTING THE PROTECTION OF THE PROPERTY OF DECEASED PERSONS.

Signed at Tokio, 26th day of 4th month, 33rd year of Meiji (1900); *Ratified 24th day of 10th month, 33rd year of Meiji* (1900); *Ratifications exhanged at Tokio, 25th day of 10th month, 33rd year of Meiji* (1900); *and promulgated 30th day of 11th month, 33rd year of Meiji* (1900).

His Majesty the Emperor of Japan and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, being equally desirous of maintaining the relations of good understanding which happily exist

between them by laying down rules for the protection of the estates of deceased persons, have agreed to conclude a Convention, and for that purpose have named as their respective Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan, Viscount Aoki Siuzo, Junii, First Class of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister of State for Foreign Affairs, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir Ernest Mason Satow, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary ;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles :

ARTICLE I.

Whenever a subject of one of the High Contracting Parties shall die within the dominions of the other and there shall be no person present at the time of such death who shall be rightly entitled to administer the estate of such deceased person, the following rules shall be observed :

1. When the deceased leaves, in the above named circumstances, heirs of his or her own nationality only, or who may be qualified to enjoy the civil status of their father or mother, as the case may be, the Consul-General, Consul, Vice-Consul, or Consular Agent of the country to which the deceased belonged, on giving notice to the proper Authorities, shall take possession and have custody of the property of the said deceased, shall pay the expenses of the funeral, and retain the surplus for the payment of his or her debts, and for the benefit of the heirs to whom it may rightly belong.

But the said Consul-General, Consul, Vice-Consul, or Consular Agent shall be bound immediately to apply to the proper Court for Letters of Administration of the effects left by the deceased, and these letters shall be delivered to him with such limitations and for such time as to such Court may seem right.

2. If, however, the deceased leaves, in the country of his or her decease and in the above named circumstances, any heir or universal legatee of other nationality than his or her own, or to whom the civil status of his or her father, or his or her mother as the case may be, cannot be granted, then each of the

two Governments may determine whether the proper Court shall proceed according to law, or shall confide the collection and administration to the respective Consular Officers under the proper limitations. When there is no Consul-General, Consul, Vice-Consul, or Consular Agent in the locality where the decease has occurred (in the case contemplated by the first rule of this Article) upon whom devolve the custody and administration of the Estate, the proper Authority shall proceed in these acts until the arrival of the respective Consular Officer. (617)

ARTICLE II.

The stipulations of the present Convention shall be applicable, so far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty excepting to those hereinafter named, that is to say, except to :—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Convention shall be made applicable to any of the above named Colonies or foreign possessions, on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tokio, within two years from the date of the exchange of Ratifications of the present Convention. (618)

ARTICLE III.

The present Convention shall come into force immediately after the exchange of the ratifications thereof, and shall remain in force until the 17th July, 1911.

Either High Contracting Power shall have the right at any time after the

16th July, 1910, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notise is given, this Convention shall wholly cease and determine. (619)

ARTICLE IV.

The present Convention shall be ratified and the ratifications thereof shall be exchanged at Tokio as soon as possible, and not later than six months from the present date. (619)

In witness whereof, the respective Prenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Tokio, in duplicate, this 26th day of the 4th month of the 33rd year of Meiji.

(L. S.) VICOMTE AOKI SIUZO.
(L. S.) ERNEST MASON SATOW.

No. 47. *Tokio, August 26, 1901.*

Monsieur le Ministre,

In compliance with directions which I have received from the Marquess of Lausdowne, I have the honour to inform Your Excellency that the Government of the Cape Colony are desirous of acceding to the Convention between the United Kingdom and Japan for the protection of the Estates of deceased persons which was signed at Tokio on the 26th of April 1900.

I accordingly hereby have the honour to give the necessary notice to this effect, in accordance with the terms of Article II. of the Convention.

I take this opportunity to renew to Your Excellency the assurance of my highest consideration.

(Signed) J. B. Whitehead.
H. B. M. Chargé d'Affaires.

His Excellency
Arasuké Sone,
H. I. J. M's Minister
for Foreign Affairs.

No. 12. *British Legation, Tokio, February 12, 1902.*

Monsieur le Ministre,

With reference to the Note addressed by Mr. Whitehead to Your Excellency's predecessor on the 26th of August last year, I have the honour, in compliance with instructions which I have received from the Marquess of Lausdowne, to inform Your Excellency that the Government of India are desirous of acceding to the convention between the United Kingdom and Japan for the protection of the estates of deceased persons, which was signed at Tokio on the 26th of April 1900.

I accordingly hereby have the honour to give the necessary notice to this effect in accordance with the terms of Article II. of the Convention.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) Claude M. MACDONALD,
H. B. M's Envoy Extraordinary
and Minister Plenipotentiary.

His Excellency
MONSIEUR JUTARO KOMURA
Minister for Foreign Affairs.

No. 33. *British Legation, Tokio, May 8, 1903.*

Monsieur le Ministre,

The Government of all the States of the Commonwealth of Australia have intimated through the Colonial Office in London their desire to accede to the Convention between Great Britain and Japan for the protection of the estates

of deceased persons, which was signed at Tokio on the 26th April 1900, and the ratifications of which were exchanged on the 26th October of the same year ; and I am instructed by His Majesty's Prinicipal Secretary of State for Foreign Affairs to give notice to Your Excellency's Government in this sense in accordance with Article II. of the Convention.

The term within such notice should be given having, as Your Excellency is aware, already expired, it is necessary for me to explain that the communication from the Australian Governments was made within the term prescribed by the Convention, but that through inadvertence the instructions to me arrived too late for me to give the prescribed timely notice to Your Excellency.

I am therefore instructed by my Government to request the Japanese Government, in view of the circumstances above-explained, to consent to the adhesion of the Commonwealth of Australia to the Convention in question in spite of the time limit for the notification of such adhesion having expired.

I take this opportunity to renew to Your Excellency the assurance of my highest consideration.

(Signed) Claude M. MACDONALD.

His Excellency
BARON JUTARO KOMURA,
H. I. J. M's Minister for Foreign Affairs,
&c., &c , &c.

PROTOCOL.

Signed at Tokio, 3nd day of 5th month, 32nd year of Meiji (1899); *Promulgated 10th day of 6th month, 32nd year of Meiji.* (1899).

The Government of His Majesty the Emperor of Japan and the Government of Her Majesty the Queen of Great Britain and Ireland, Empress of India, considering it desirable in the interest of the good administration of justice, that provision be made for the exercise of jurisdiction in cases pending in British Courts in Japan when the Teaty of Commerce and Navigation concluded between Japan and Great Britain on the 16th day of the 7th month of the 27th year of Meiji comes into force, have agreed as follows :

The jurisdiction of British Courts in Japan, in respect of cases and proceedings, both civil and criminal, actually pending in such Courts when the said Treaty of Commerce and Navigation comes into force, shall be continued until final decision.

In witness whereof, the undersigned His Imperial Japanese Majesty's Minister of State for Foreign Affairs, and Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary having been duly authorized for that purpose by their respective Governments, have signed the present Protocol and affixed thereto their seals.

Done in duplicate at Tokio, this 3rd day of the 5th year of Meiji.

(L. S.) VICOMTE AOKI.
(L. S.) ERNEST SATOW.

AGREEMENT RELATIVE TO THE EXPENSES INCURRED FOR SHIPWRECKED SUBJECTS.

Stipulations exchanged at Tokio, 5th day of 12th month, 11th year of Meiji (1878); *and Promulgated 26th day of 3rd month, 12th year of Meiji* (1879).

All expenses incurred by the Japanese Government for the rescue, clothing, maintenance and travelling of shipwrecked British subjects,—for the recovery of the bodies of the drowned, for the medical treatment of the sick and the injured,—and for burial of the dead, shall be repaid to the Japanese Government by the Government of Her Britannic Majesty, and a similar course of procedure to the above shall be observed by the Japanese Government in the case of assistance being given by the Government of Her Britannic Majesty to shipwrecked Japanese subjects.

But neither the Government of Her Britannic Majesty nor the Japanese Government shall be responsible for the repayment of the expenses incurred in the recovery or preservation of a wrecked vessel or the property on board. All such expenses shall be a charge upon the property saved and shall be paid by the parties interested therein, upon receiving delivery of the same.

No charge shall be made by the Government of Her Britannic Majesty nor by the Japanese Government, for the expenses of the Government officers, police or local functionaries who shall proceed to the wreck,—for the travelling expenses of officers escorting the shipwrecked men,—nor for the expenses of official correspondence. Such expenses shall be borne by the Government of the country to which such officers, police and local functionaries belong. (624)

Yedo, December 4, 1878.

RULES FOR THE REGULATION OF A MONEY ORDER SYSTEM BETWEEN JAPAN AND HONGKONG.

Signed at Tokio, 18th day of 4th month, 17th year of Meiji (1884); and at Hongkong, 15th day of 5th month, 17th year of Meiji (1884); Promulgated 24th day of 5th month, 17th year of Meiji (1884).

1. The Offices of Exchange for Accounts shall be Hongkong and Tokio only. (625)

2. Hongkong or Shanghai may issue orders payable in {Tokio / Nagasaki / Kobe / Yokohama} and {Tokio / Nagasaki / Kobe / Yokohama} may issue Orders payable in any part of China, or at Macao. (625)

3. Chinese names, if any, are to be written in English in the body of the advice, and in Chinese in the margin, whenever it is possible to insist on this precaution. If the sender (being a Chinese) cannot write his own name and that of the payee on the advice himself, he must, if possible, bring a friend to do so for him. (625)

4.* Orders from Japan are to be drawn in Dollars of Hongkong currency, and Orders from Hongkong, in Japanese currency (gold yen), each Office making its own arrangements as to rates of exchange and form of Order and Advice. (625)

5.* No single Order shall exceed one hundred dollars in silver, if issued in Japan, or one hundred yen, in Japanese gold money, if issued in Hongkong. (625)

6. Each Office shall fix its own rates of commission. (626)

7. As soon as any Order is issued relative Advice shall be forwarded by the first opportunity. (626)

8. All Orders shall be paid without deduction, Payment of any Order made before the arrival of the Advice is at the risk of the country making it. (626)

*Revised as the present texts by Imperial Ordinance, December, 31st year of Meiji.

9.* At the end of every three months, whichever Office shall have a claim against the other shall prepare an account embracing the entire series of Orders issued by both Offices during such three months, and shewing the balance due. Such balance must be remitted by the Office owing it by Bill of Exchange. These periodical settlements are not, however, to supersede frequent Remittances on account, where all or nearly all the Orders are in one direction.

The payment of the balance shall be made at Yokohama when it is to the credit of Japan, and at Hongkong when it is to the credit Hongkong, and always in the money of the country to which the payment is to be made. (626)

10.* Orders which shall not have been paid within twelve calendar months from the day of issue shall become void, and the sums received shall accrue to, and be at the disposal of the office of issue. (626)

11. All these Rules are open to revision by common consent from time to time. (626)

12. The Money Order System shall come into force from July 1st 1884. (626)

Signed in duplicate at Tokio, this 18th day of April 1884.

YASUSHI NOMURA,
Postmaster General.

And at Hongkong, this 15th day of May 1884.

ALFRED LISTER,
Postmaster General.

SUPPLEMENTARY.

13. Advices of Money Orders drawn on Chinese Ports north of Foochow shall be forwarded by the Japanese issuing Offices direct to Shanghai, all others to Hongkong. Advices from Hongkong and Shanghai shall be forwarded to the paying Offices. (627)

14. Hongkong shall admit Japan to the benefit of all its Money Order Conventions with other countries, England and the United States excepted, and shall notify the Tokio Office of all new Conventions or changes in existing Conventions. (627)

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*Revised as the present text by Imperial Ordinance, March, 26th year of Meiji.

CONVENTION FOR THE EXCHANGE OF MONEY ORDERS BETWEEN JAPAN AND THE DOMINION OF CANADA

Signed at Tokio, 16th day of 5th month, 22nd year of Meiji (1889); *and at Ottawa, 27th day of 6th month, 22nd year of Meiji* (1889); *and Promulgated 28th day of 9th month, 22nd year Meiji* (1889).

ARTICLE I.

There shall be a regular exchange of Money Orders between the Empire of Japan and the Dominion of Canda. (627)

ARTICLE 2.

The amounts of Orders, in both directions, shall be expressed in Canadian currency, and, on account of the frequent fluctuations in the rate of exchange between the two countries, it is agreed that all amounts shall be converted into their proper equivalents by the Japanese Post Office; that is to say, the sums received by the Japanese Post Office for Orders drawn on Canada shall be converted at the time of issue into Canadian currency at the current rate of Exchange; and the amounts of Orders drawn in Canada on Japan shall, in like manner, be rendered by the Japanese Post Office into the currency of Japan, at the current rate of exchange on the day of the arrival of the exchange List. (527)

ARTICLE 3.

The maximun amount for which a Money Order may be drawn in either country upon the other shall be One Hundred dollars.* (627)

ARTICLE 4.

No Money Order shall contain a fractional part of a cent. (628)

ARTICLE 5.

The amounts of Money Orders shall be deposited by the remitters, and paid

* Art. 3 has been revised as the present text by Imprial Ordinance promulgated November 1904.

to the payees in gold coin, or in any other legal money of the same current value.

However, in case there should be in circulation in either country, a paper cnrrency of legal tender, but of less value than gold, the Administration of that Country shall have the right to receive and employ the same in its relations with the public, taking into account the difference of value. (628)

ARTICLE 6.

The Department of Communications of Japan and the Post Office Department of Canada shall each have power to fix, from time to time, the rates of commission to be charged on all Money Orders they may respectively issue.

This commission shall belong to the issuing Postal Administration, but the Department of Communications of Japan shall pay to the Post Office Department of Canada one half of one per cent (½ of 1%) on the amount of Orders issued in Japan and payable in Canada, and the Post Office Department of Canada shall make a like payment to the Department of Communications of Japan for Money Orders issued in Canada and payable in Japan. (528)

ARTICLE 7.

No Money Order shall be issued unless the applicant furnish, in full, the surname, and at least the initial of one Christian name, both of the remitter and the payee, (or the corresponding names in the case of natives of Japan); or the name of the firm or Company who are the remitters or payees, together with the address of the remitter and that of the payee. If, however, any applicant for a Money Order shall tender the name of either the remitter or payee at greater length, such particulars shall be received, and the List shall be made out accordingly. (628)

ARTICLE 8.

The service of the Postal Money Order system between the two countries shall be performed exclusively by the agency of the office of exchange. On the part of Japan the office of exchange shall be Tokio, and on the port of Canada, Victoria, B. C.* (628)

* On the 1st July 1907, the Canadian Postal Administration has removed the Exchange Office from Victoria, B. C. to Vancouver, B. C.

ARTICLE 9.

The particulars of all Money Orders drawn in Canada upon Japan shall be entered at the Exchange Office, Victoria, B. C., in a List similar to the form marked A (in the appendix), in which shall be shown the amount of each Order in Canadian currency, which List, after having received the impression of the Victoria date stamp, shall be forwarded to the Department of Communications (Direction of International Correspondence) at Tokio, where it shall be impressed with the date stamp, of that Department, and where the requisite arrangements for effecting payment of the Orders shall be carried out.

In like manner, the particulars of Money Orders drawn in Japan on Canada shall be entered at the Department of Communications (Direction of International correspondence) at Tokio, in a List similar to the form marked B, in which shall be shown the amount of each Orner in the money of both countries, which List, after having received the impression of the date stamp of that Department, shall be forwarded to the Exchange Office of Victoria, where it shall receive the impression of the date stamp in use, at the Office, and where the necessary arrangements for effecting payment of the Orders shall be carried out.

Each List, as well as the entries in the List despatched shall be numbered consecutively 1, 2, 3, 4, 5 &c., in an unbroken series, in the order of despatch, and the receipt of each List shall be acknowledged, on either side, by means of the first subsequent List forwarded in the opposite direction.*

Such List shall be transmitted whenever there are Money Orders to be advised from either country to the other, and, in order to prevent inconvenience, in case the original Lists should be lost, each Office shall forward by the following mail a duplicate of the List sent by the preceding mail.†

The Orders issued in Canada during the Quarter ending 30th June of each year, which may arrive at the office of Exchange at Victoria in the following quarter, shall be entered on Lists supplementary to the last List of the month of June, and, in like manner, the Orders issued in Japan during the quarter ending 30th June, of each year, which may arrive at the Exchange Office of

* The agreement come to for the renewal every year of the number of List as well as that of the orders entered, from 1893.

† It has been mutually agreed upon in December 1902 that for the duplicate lists, letter press copies be employed.

Tokio in the following quarter, shall be entered on List supplementary to the last List of the month of June.* (629)

ARTICLE 10.

As soon as the Lists of the despatching Office shall have reached the receiving Office of Exchange, the latter shall make out internal Money Orders in favor of the payees for the amounts specified in the List, and shall forward them, free of postage, to the addressees, or to the Offices of destination, in conformity with the regulations existing in each country for the payment of Money Orders.

When the Lists shall show irregularities which the receiving office shall not be able to rectify, that office shall demand an explanation from the despatching Office which shall give such explanation with as little delay as possible. Pending the receipt of the explanation, the issue of domestic Money Orders for payment relating to the entries found to be erroneous in the List shall be suspended.

One copy of each Exchange List shall be returned by the receiving Exchange Office to the despatching Exchange Office, but before returning such copy, the receiving Exchange Office shall enter therein the names of the respective offices of payment of the Orders enumerated in the List, and, in the Lists from Canada returned by the Japanese Office, the latter office shall also enter the amount of each Order in Japanese money, according to the conversion made by it.† (629)

ARTICLE 11.

The Orders issued by each country on the other shall be subject, as regards payment, to the regulations which govern the payment of domestic Orders in the country of destination.

It is agreed that all Money Orders paid in either country shall be retained in the country in which they are paid. (630)

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* It has been mutually agreed upon, in April, 1903, by the parties to this Convention that the 5th paragraph of Articles 9 be considered as rendered inoperative by the correspondence passed between the two Administrations.

† It has been mutually agreed upon, in December 1902, that the 3rd paragraph of Article 10 be considered as rendered inoperative by the correspondence passed between the two Administrations.

ARTICLE 12.

When it is desired that any error in the name of the payee or remitter shall be corrected, or that the amount of a Money Order shall be repaid to the remitter, application must be made by the remitter to the Postal Administration of the Country in which the Order was issued. Duplicate Orders shall only be issued by the Postal Administration of the Country on which the original Orders were drawn, and in conformity with the regulations established, or to be established, in that Country. (630)

ARTICLE 13.

Repayment, whether of an original or by means of a duplicate Order, shall not be made to the remitter until it has been ascertaind, through the Postal Administration of the country where such Order is payable, that the Order has not been paid and shall not be paid in the office of payment. (630)

ARTICLE 14.

Orders which shall not have been paid within twelve calendar months from the month of issue, shall become void, and the sums received shall accrue to, and be at the disposal of, the country of issue.

The Department of Communications of Japan shall, therefore, enter to the credit of Canada, in the quarterly account, all Money Orders entered in the Lists received from Canda, which remain unpaid at the end of the period specified.

On the other hand, the Post Office Department of Canada shall, at the close of each month, transmit to the Department of Communications of Japan, for entry in the quarterly account, a detailed statement of all Orders, included in the Lists despatched from the latter office which, under this Article, become void. (630)

ARTICLE 15.

At the close of each quarter an account shall be prepared at the Department of Communications, Tokio, showing, in detail the totals of the Lists containing the particulars of Orders issued in either country during the quarter, and the balance resulting from such transactions.

Two copies of this account shall be transmitted to the Post Office Depart-

ment of Canada at Ottawa, and the balance, after proper verification, shall, if due by the Department of Communications of Japan, be paid at New York, in Canadian currency, at the same time that it transmits the account, and, if due by the Post Office Department of Canada, it shall be paid at the same time that it returns the accepted copy of the account by means of a Bill of Exchange on Yokohama, for as much, in the legal currency of Japan as can be obtained, at the market rate, for the balance due Japan in Canadian currency.

For this quarterly account forms shall be used in exact conformity with the partterns C. D. and E. in the appendix.

If, pending the settlement of an account, one of the two Postal Administrations shall ascertain that it owes the other a balance exceeding Five thousand dollars ($ 5000.) the indebted Administration shall promptly remit the approximate amount of such balance to the credit of the other. (631)

ARTICLE 16.

The Minister of Communications of Japan and the Postmaster General of Canada shall be authorized to adopt any additional rules, if not repugnant to the foregoing, for the greater security against fraud, or for the better working of the system generally. All such additional rules, however, must be communicated to the Postal Administration of the other country. (631)

ARTICLE 17.

Should it appear that Money Orders are used by mercantile men, either in Japan, or in Canada, for the transmission of large sums of money, the Japanese or Canadian Postal Administration, as the case may be, shall have the power of increasing the commission, and even of wholly suspending, for a time, the issue of Money Orders. (631)

ARTICLE 18.

This Convention shall come into operation on the {1st day of 10th month of / 1st October, 1889 / 22nd year of Meiji}, and shall continue in force until twelve months after either of the contracting parties shall have notified to the other its intention to terminate it. (632)

Done in duplicate, and signed in Tokio on 16th day of 5th month of 22nd year of Meiji, and in Ottawa on 27th day of June 1889.

S. GOTO,
Minister of State for Communications of Japan.
JOHN HUGGART,
Postmaster General of the Dominion of Canada.

A.*

Money Order Office,
Victoria B. C.,.....188____

Sir :—

I have received your List No._____, relative to Money Orders issued in the Empire of Japan, and payable in the Dominion of Canada.

In return, I transmit to you a detailed account of the amounts received for Orders issued in Canada and payable in Japan, the particulars of which have reached this Office since the despatch of my previous List No._____.

Awaiting an acknowledgment of the present List,

I have the honour to be,
Sir,
Your obedient Servant,
Postmaster.

To the
Director of International Correspondence,
Department of Communications,
Tokio.

---

* It has been mutually agreed upon, in March 1903 between the parties to this Convention to abolish the two letters of acknowledgment and transmittal.

A.

List No...... LIST OF MONEY ORDERS ISSUED IN THE DOMINION OF CANADA, AND PAYABLE IN THE EMPIRE OF JAPAN.

Office Stamp.

Date.	Number of Original Order	Number of International Order	Office of Issue	Name of Remitter	Address* of Remitter	Full name of Payee	Full address of Payee	Amount in Canadian Money		For use of Tokio Office.				
										Amount in Japanese Money		Number of Inland order issued by Tokio office	Office on which final order is drawn.	Remarks.
								$	c	Yen	Sen			

*The agreement come to for the non-entry of the addresses of remitters, July 1902.

A.

Department of Communications,
Direction of International Correspondence,
Tokio,_____188____

Sir,

I have examined this List of Money Orders from No._____to No._____ inclusive, for sums received in Canada for payment in the Empire of Japan, amounting in the aggregate to $.....

The said List was found to be correct with the following exceptions:

_____

_____

_____

_____

I have the honour to be,
Sir,
Your obedient Servant,

Director.

To
The Postmaster,
Money Order Exchange Office,
Victoria, B. C.

B.*

Department of Communications,
Direction of International Correspondence,
Tokio,_____188____

Sir,

I have received your List No._____, relative to Money Orders issued in the Dominion of Canada, and payable in the Empire of Japan.

In return I transmit to you a detailed account of the amounts received for the Orders issued in Japan, and payable in Canada, the particulars of which have reached this Office since the despatch of my previous List No._____.

Awaiting an acknowledgment of the present List.

I have the honour to be,
Sir,
Your obedient Servant,

Director.

To
The Postmaster,
Money Order Exchange Office,
Victoria, B. C.

*It has been mutually agreed upon, in March, 1903, between the parties to the Convention to abolish the two letters of acknowledgment and transmittal.

B.

*List No.*_____ LIST OF MONEY ORDERS ISSUED IN THE EMPIRE OF JAPAN, AND PAYABLE IN THE DOMINION OF CANADA.

Office Stamp.

Date.	Number of Original Order.	Number of International Order.	Office of Issue.	Name of Remitter.	Address* of Remitter.	Full name of Payee.	Full address of Payee.	Amount in Canadian Money.		Amount in Japanese Money.		For use of Victoria Office.		
												Number of Inland order issued by Victoria Office.	Office on which final Order is drawn.	Remarks.
								$	c	Yen	Sen			

*The agreement come to for the non-entry of the addresses of remitters, July 1902.

B.

Money Order Office,
Victoria, B. C.,_____188__

Sir,

I have examined this List of Money Order from No._____to No._____ inclusive, for sums received in the Empire of Japan for payment in Canada amounting in the aggregate to $_____

The said List was found to be correct with the following exceptions:

_____

_____

_____

_____

I have the honour to be,
Sir,
Your obedient Servant,
Postmaster.

To
the Director of International Correspondence,
Department of Communications,
Tokio.

C.

_____QUARTER OF 188_____

LIST OF MONEY ORDERS, AUTHORITY FOR THE REPAYMENT OF WHICH TO THE REMITTERS HAS BEEN GIVEN TO THE COUNTRY OF ISSUE DURING THE QUARTER ABOVE MENTIONED.

Orders issued in Japan.					Orders issued in Canada.				
No. of List.	Date of List.	No. of international Order.	Amount of Order.		No. of List.	Date of List.	No. of international order.	Amount of order.	
			$	c				$	c
		Total					Total		

D.

MONEY ORDERS NOT PAID AND TO BE CREDITED TO THE ISSUING OFFICE.

Orders issued in Japan.					Orders issued in Canada.				
No. of List.	Date of List.	No. of International order.	Amount of order.		No. of List.	Date of List.	No. of International order.	Amount of order.	
			$	c				$	c
		Total.					Total.		

E.

.....QUARTER OF 188.....

GENERAL STATEMENT OF THE RESULT OF THE EXCHANGE OF MONEY ORDERS BETWEEN THE EMPIRE OF JAPAN AND THE DOMINION OF CANADA.

To credit of Japan.			Amount.		To credit of Canada.			Amount.	
			$	c				$	c
Orders issued in Canada and payable in Japan, viz:					Orders issued in Japan and payable in Canada, viz:				
As per List No.	$	c			As per List No.	$	c		
" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
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" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
" " " "					" " " "				
Commission, ½ of 1 % on above,					Commission, ½ of 1 % on above,				
Repaid Orders,					Repaid Orders,				
Orders become void,					Orders become void,				
Total credit to Japan,					Total credit to Canada,				
Balance due Canada.					Balance due Japan.				

AMENDED AGREEMENT BETWEEN JAPAN AND GREAT BRITAIN FOR AN EXCHANGE OF MONEY ORDERS.

Signed at Tokio, 20th day of 5th month, 23rd year of Meiji (1890); *and at London, 21st day of 3rd month, 23rd year of Meiji* (1890); *of Promulgated 30th day of 6th month, 23rd year of Meiji* (1890).

The Department of Communications of the Empire of Japan and the Post Office of the United Kingdom of Great Britain and Ireland, being desirous of modifying the present system of exchange of Money Orders between the two Countries, the undersigned, duly authorized for that purpose, have agreed upon the following Articles.

ARTICLE I.

There shall be a regular weekly exchange of Money Orders between the Empire of Japan and the United Kingdom of Great Britain and Ireland. (638)

ARTICLE II.

The Money Order Service between the Contracting Countries shall be performed exclusively by the agency of Offices of Exchange. On the part of Japan the Office of Exchange shall be Tokio, and on the part of the United Kingdom, London. (638)

ARTICTE III.

The amounts of Orders, in both directions, shall be expressed in Sterling Money, and on account of the frequent fluctuations in the rate of Exchange between the two Countries, it is agreed that all amounts shall be converted into their proper equivalents by the Department of Communications of Japan, that is to say, the sums received in Japan for Orders drawn on the United Kingdom shall be converted by the Department of Communications of Japan, into Sterling Money at the current rate of Exchange, and the amounts of Orders drawn in the United Kingdom on Japan shall, in like manner, be rendered by the Department of Communications of Japan into the currency of Japan before payment is made. (638)

ARTICLE IV.

The maximun amount for which an Order may be drawn in either Country upon the other shall be £ 10. No Money Order shall contain a fractional part of a Penny. (638)

ARTICLE V.

In order to prevent variations in payments of Money Orders to the Public, which might be caused by fluctuations of the Silver Currency, all Money Orders shall be paid in Gold or its nearest equivalents in value. (638)

ARTICLE VI.

The Department of Communications of Japan and the British Post Office shall each have the power to fix, from time to time, the Rates of Commission to be charged on all Money Orders they may respectively issue.

The Commission shall belong to the issuing Office, but the Department of Communications of Japan shall pay to the Post Office of the United Kindom one half of one per cent on the amount of Orders issued in Japan and payable in the United Kingdom ; and the British Post Office shall make a like payment to the Department of Communications of Japan for Money Orders issued in the United Kingdom and payable in Japan. (639)

ARTICLE VII.

No Money Order shall be issued unless the Applicant furnish, in full, the surname and at least the intial of one Christian name of both the Remitter and the Payee, (or the corresponding names in the case of natives of Japan) or the name of the Firm or Company who are the Remitters or Payees, together with the full address of the Payee.

If, however, any applicant for a Money Order shall tender the name of either the Remitter or Payee at greater length, such particulars shall be received and advised accordingly. (639)

ARTICLE VIII.

In the event of a Money Order miscarrying or being lost or destroyed, a duplicate shall be granted on a written application from the Payee (containing

the necessary particulars) to the Chief Money Order Office of the Country where the original Order is payable; and such Chief Office shall be authorized to demand, in every such case, an additional Commission on the amount of the Order, unless the Order shall have been lost in transmission through the Post. (639)

ARTICLE IX.

On receipt of an application, containing the necessary particulars, from the Payee, instructions shall be given to stop payment of a Money Order. (639)

ARTICLE X.

When it is desired that any error in the name of the Payee or Remitter shall be corrected, or that the amount of a Money Order shall be repaid to the Remitter, application must be made by the Remitter to the Chief Office of the Country in which the Order was issued, and such Office shall be authorized to require, in either case, an additional Commission, unless the application shall have been occasioned by a mistake on the part of the Officer by whom the Order was issued. (639)

ARTICLE XI.

Repayment, whether of an original or by means of a duplicate Order, shall not be made to the Remitter until it has been ascertained through the Chief Office of the Country where such Order is payable, that the Order has not been paid. (639)

ARTICLE XII.

Orders shall be payable, in each Country, during twelve Months after the Month of issue. The amounts of all Money Orders not paid before the expiration of that term shall revert to and remain the property of the Country of issue. (See Article XVIII.) (640)

ARTICLE XIII.

The Offices of Exchange shall communicate, each to its corresponding Office, by the weekly Mail, the sums received in each of the respective Countries for payment in the other. They shall use for this purpose the Form of List A.,

annexed. A blank List shall be transmitted by the Mail named above in case there shall be no payment to announce.

In order to prevent inconvenience in case the original Lists should be lost, each Office shall forward, by the following Mail, a duplicate of the List sent by the preceding Mail. (640)

ARTICLE XIV.

Every Money Order or receipt for Money entered on the Lists shall bear distinctive serial number, to be known as the "International Number," commencing each Month with No. 1.

Each List despatched shall also be numbered consecutively, 1, 2, 3, &c., in the order of despatch, commencing at the beginning of each year with No. 1. (640)

ARTICLE XV.

The receipt of each List shall be ackowledged, on either side, by means of the first subsequent List forwarded in the opposite direction, and the Lists which fail to be received shall be immediately applied for by the Office of Exchange to which they should have been sent.

The despatching Office of Exchange shall, in such case, transmit without delay to the receiving Office of Exchange a duplicate List certified as such. (640)

ARTICLE XVI.

The Lists shall be carefully verified by the Office of Exchange to which they are sent and corrected when they contain manifest errors. The corrections shall be communicated to the despatching Office of Exchange in the acknowledgment of the receipt of the List in which the corrections were made. When the Lists shall show other irregularities, the Office of Exchange receiving them shall require an explanation from the despatching Office of Exchange which shall give such explanation with as little delay as possible.

In the meantime, the issue of Internal Money Orders relating to the entries on the List found to be irregular, shall be suspended. (640)

ARTICLE XVII.

As soon as the List shall have reached the receiving Office of Exchange, that Office shall prepare Internal Money Orders in favour of the Payees and for

the equivalents, in the money of the Country of payment of the amounts specified in the List, and shall then forward such Internal Money Orders to the Payees, or to the paying Offices, in conformity with the arrangements existing in each Country for the payment of Money Orders. (641)

ARTICLE XVIII.

As soon as all the Lists relating to any Month have been despatched from Japan, the Japanese Office shall prepare a General Monthly Account, in accordance with the Forms marked B., C., and D., in the Appendix, entering on the one side, in Form D., to the credit of the United Kingdom the total amount of the several Lists despatched from Japan in the Month, together which the Commission on the aggregate total at the rate of one half of one per cent as fixed by Article VI., and the amount of Orders authorized to be repaid in the United Kingdom during the Month, and the amount of Forfeited Orders. (Article XII.)

On the other side shall be entered to the credit of Japan the total amount of the several Lists received from the United Kingdom during the Month, with Commission on the aggregate total at the rate of one half of one per cent, as fixed by Article VI., the amount of Orders authorized to be repaid in Japan during the Month, and the amount of Forfeited Orders. (Article XII.)

The resulting balance shall then be shewn, under the proper heading, in the Account.

This course shall be pursued during the first eleven Months of the year, but the General Account for the Month of December in each year shall include in it the whole of the issues of Japan on the United Kingdom, and the whole of the issues of the United Kingdom on Japan to the last day of the month.

The General Monthly Account shall be transmited in duplicate by the Japanese Office to the British Office which shall return one copy of the Account duly accepted. (641)

ARTICLE XIX.*

When the Department of Communications of Japan has to pay the British Post Office the the balance of the General Account, it shall pay such balance

*The agreement come to that when the balance due to this country is small, the same to be included into the account of the month next to the one relating to the same account.

at the same time that it transmits the General Account, and a similar course shall be followed by the British Office when returning the accepted copy of the General Account.

The payment of the balance shall be made at Tokio or Yokohama when it is to the credit of Japan, and at London when it is to the credit of the United Kingdom, and always in the money of the Country to which the payment is made. (642)

ARTICLE XX.

The Minister of Communications of Japan on the one part, and the Postmaster General of the United Kingdom on the other part, shall be authorized to adopt any additional Rules, if not repugnant to the foregoing, for the greater security against fraud or for the better working of the System generally.

All such additional Rules, however, must be communicated to the Postal Administration of the other Country. (642)

ARTICLE XXI.

Should it appear that Money Orders are used by Mercantile Men, either in the United Kingdom or Japan, for the transmission of large sums of money, the British or Japanese Postal Administration, as the case may be, shall have the power of increasing the Commission, and even of wholly suspending, for a time, the issue of Money Orders. (642)

ARTICLE XXII.

This present Agreement shall be substituted for and shall take effect in lieu of all previous Conventions or Arrangements relative to the exchange of Money Orders between the two countries on the first day of July 1890, and shall continue in force until twelve Months after either of the Contracting Parties shall have notified to the orther its intention to terminate it.

Done in duplicate and signed in London on the 21st day of March, 1890; and in Tokio on the twentieth day of fifth Month, twenty third Year of Meiji (20th day of May, 1890). (642)

GOTO
Minister of Communications
of the Empire of Japan.

HENRY CECIL RAIKES
Postmaster General of the
United Kingdom of Great
Britain and Ireland.

A.

*No. of List*_____

Stamp of Office.

LIST OF MONEY ORDERS ISSUED IN JAPAN AND PAYABLE IN THE UNITED KINGDOM.

Despatched by the Mail of the_____

Date of issue	International Number of Order	Number of Order	Office of issue	Name* and address of Remitter	Full name of Payee	Address of Payee	Amount in Japanese Money	Amount in British Money			For use of British Office		
											No. of Order	Office of Payment	Remarks
							yen	£.	s.	d.			
						Total.							

Department of Communications, Tokio,
the____day of_____189_____

To the Money Order Office, London.

I have received your List, No._____of the_____189_____relative to Orders drawn in the United Kingdom and payable to persons residing in Japan, showing a total, in British Money, of £_____s_____d

In return I transmit to you, on the other side, a detailed Account of the amounts received for Orders payable in the United Kingdom, the particulars of which have reached this Office since the despatch of my last List.

I have the honour to be,
Your obedient Servant,

Minister of Communications.

*The agreement come to for the non-entry of the addresses of remitters.

No. of List.....

Stamp of Office.

LIST OF MONEY ORDERS ISSUED IN THE UNITED KINGDOM AND BEYOND AND PAYABLE IN JAPAN.

Despatched by the Mail of the.....

Date of issue.	International Number of Order.	Number of Order.	Office of issue.	Name* and address of Remitter.	Full name of Payee.	Address of Payee.	Amount in British Money.			For use of Japanese Office.	
										Amount in Japanese Money.	
							£.	s.	d.	Yen	
						Total....					

Money Order Office, London,
the .....day of.....189.....

To the Department of Communications, Tokio,

I have received your List No.....of the.....189.....relative to Orders drawn in Japan payable to persons residing in the United Kingdom showing a total, in British Money, of £. s. d.

In return, I transmit to you on the other side, a detailed Account of the amounts received for Orders payable in Japan, the particulars of which have reached this Office since the despacth of my last List.

I have the honour to be,
Your obedient Servant,
Controller.

*The arrangement come to for the non-entry of the addresses of remitters.

B.

MONTH OF.....189.....

LIST OF MONEY ORDERS, AUTHORITY FOR THE REPAYMENT OF WHICH TO THE REMITTERS, HAS BEEN GIVEN TO THE COUNTRY OF ISSUE DURING THE MONTH ABOVE MENTIONED.

Issued in the United Kingdom.						Issued in Japan.					
Date.	No. of Order.	Office of issue.	Amount.			Date.	No. of Order.	Office of issue.	Amount.		
			£.	s.	d.				£.	s.	d.
		Total...						Total...			

Tokio,

.....189.....

.....

Minister of Communications of Japan.

C.

MONTH OF_____189_____.

LIST OF MONEY ORDERS WHICH HAVE NOT BEEN PAID WITHIN TWELVE CLEAR MONTHS AFTER THE MONTH OF ISSUE AND HAVE, THEREFORE, BECOME FORFEITED.

Issued in the United Kingdom.						Issued in Japan.					
Date.	No. of Order.	Office of issue.	Amount.			Date.	N. of Order.	Office of issue.	Amount.		
			£.	s.	d.				£.	s.	d.
		Total...						Total...			

Tokio,

_____189_____

.....

Minister of Communications of Japan.

D.

MONTH OF_____189_____.

GENERAL ACCOUNT OF THE RESULT OF THE EXCHANGE OF MONEY ORDERS BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND THE EMPIRE OF JAPAN.

To credit of Japan.	Amount. £.	s.	d.	To credit of United Kingdom.	Amount. £.	s.	d.
Orders issued in the United Kingdom and payable in Japan viz.				Orders issued in Japan and payable in the United Kingdom viz.			
as per List No. £. s. d.				as per List No. £. s. d.			
,, ,, ,, ,,.....				,, ,, ,, ,,.....			
,, ,, ,, ,,.....				,, ,, ,, ,,.....			
,, ,, ,, ,,.....				,, ,, ,, ,,.....			
,, ,, ,, ,,.....				,, ,, ,, ,,.....			
Commission at ½ of 1 per cent on above Repaid Orders.....				Commission at ½ of 1 per cent on above Repaid Orders.....			
Void Orders.....				Void Orders.....			
Total credit to Japan.....				Total credit to United Kingdom			
Balance due to United Kingdom				Balance due to Japan.....			

Tokio,

_____189_____

.....

Minister of Communications of Japan.

CONVENTION BETWEEN JAPAN AND CANADA

CONCERNING

THE EXCHANGE OF CLOSED PARCELS BY MAIL.

Signed at Tokio, 3rd day of 9th month, 23rd year of Meiji (1890); *and at Ottawa, 22nd day of 6th month, 23rd of Meiji* (1890); *Promulgated 9th day of 9th month, 23rd year of Meiji* (1890).

For the purpose of further extending the postal relations between the Empire of Japan and the Dominion of Canada, the undersigned Count Goto Shojiro, Minister of Communications of Japan, and John Graham Haggart, Postmaster General of Canada, by virtue of authority vested in them by law, have agreed upon the following articles: (648)

1.—There shall be a regular exchange of closed parcels, by mail, between Japan and Canada. (648)

2.—Such parcels shall be forwarded by the Steamers of the Canadian Pacific Railway and Steamship Company plying between Vancouver, Canada, and Yokohama, Japan. (648)

3.—The maximum weight of a single parcel shall be 5 lbs. and the maximum dimensions shall be two feet in length and one foot in width or depth.

4.—The rate of postage shall be 25 cents per lb. or fraction thereof. (648)

5.—This postage rate shall be divided as follows: to credit of Japan, 8 cents per lb. for land transit, and to credit of Canada, 9 cents per lb. for sea transit, and 8 cents for land transit. (648)

6.—The Post Office of Canada shall provide for the sea conveyance of the parcels passing both ways between the two countries. (648)

7.—The parcels exchanged shall not contain any article, the transmission of which is prohibited under the regulations relating to other classes of matter passing by mail between the two countries. (649)

8.—Every parcel shall be accompanied by a Customs declaration, which shall be affixed to the parcel, showing the value of the contents; and all parcels received in either country shall be subject to the Customs laws and regulations thereof. (649)

9.—The Post Office of Yokohama shall be the parcel post exchange office for Japan, and the Post Office of Vancouver, the exchange office for Canada. (649)

10.—Each parcel mail shall be accompanied by a parcel bill, in which shall be entered by the dispatching office, the number of the parcel, the place of posting, the name of the addressee, the declared value of the contents, and the number of rates prepaid, and also, at the foot of the bill, the number of parcels despatched, and the gross and net weight of the mail. (649)

11.—Parcels must be securely and substantially packed, and shall be despatched from one country to the other in strong wicker baskets, which the Post Office of Canada shall supply, but half the cost of which shall be paid by the Department of Communications of Japan. (649)

12.—Undelivered parcels may be redirected to the senders in the country of origin, subject to the same postage rate to which they were severally originally liable, which may either be prepaid in the country from which the parcel is returned, or charged upon the bill for collection on delivery. Should such a parcel returned without prepayment fail of delivery to the sender, the country of origin shall notify the country from which the parcel was returned of the fact and claim credit for the amount of postage charged against it on such parcel. (649)

13.—Parcels which cannot be delivered to the persons addressed, and the senders of which cannot be found shall, unless otherwise determined in special cases, after correspondence between the two Administrations, be returned to the administration of the country of origin for disposal as undelivered (dead) matter. (650)

14.—The accounts relating to the charges made upon parcels shall be prepared quarterly by the Post Office of Canada, and shall be transmitted in duplicate to the Department of Communications of Japan for verification and settlement. (650)

15.—This convention shall take effect on 1st October 1890 (the 1st day of the 10th month of the 23rd year of Meiji) and shall remain in force until the expiration of a period of six months after the date upon which one of the two contracting administrations shall have notified the other of its intention to terminate it. (650)

Done in duplicate and signed at Ottawa, Canada, the 22nd day of June, one

thousand eight hundred and ninety, and at Tokyo, Japan, the 3rd day of the 9th month of the 23rd year of Meiji.

(Signed) GOTO,
Minister of Communications of Japan.
(Signed) JOHN HAGGART,
Postmaster General of Canada.

SUPPLEMENT MODIFYING THE CONVENTION FOR THE EXCHANGE OF CLOSED PARCELS BY MAIL

BETWEEN

JAPAN AND CANADA.

Signed at 9th day of 11th month, 25th year of Meiji (1892); *and at Ottawa, 30th day of 11th month, 25th year of Meiji* (1892); *Promulgated 25th day of 1st month, 26th year of Meiji* (1893).

The Postmaster General of Canada and the Minister of State for Communications of the Empire of Japan being desirous of modifying the Convention for the exchange of closed parcels by mail made between the Post Office Department of Canada, and the Department of Communications of the Empire of Japan, under date September 3rd, and June 22nd, 1890, have agreed upon the following modification :—

ARTICLE 1.

The words 7 lbs. shall be substituted for the words 5 lb., in Article 3 of the above named Convention. (651)

ARTICLE 2.

The Present Supplement modifying the Convention shall take effect from 1st February, 1893 (the 1st day of the 2nd month of the 26th year of Meiji).

Done in duplicate and signed in Ottawa, Canada, on the 30th day of November, one thousand eight hundred and ninety-two (30th day of 11th month 25th year of Meiji), and in Tokyo, Japan, on the 9th day of the 11th month of the 25th year of Meiji (9th November 1892). (651)

(Signed) .....
Postmaster General of Canada.
(Signed) Count KURODA KIYOTAKA,
Minister of State for Communications
of the Empire of Japan.

SUPPLEMENT MODIFYING THE CONVENTION FOR THE EXCHANGE OF CLOSED PARCELS BY MAIL

BETWEEN

JAPAN AND CANADA.

Signed at Tokio, 11th day of 9th month, 27th year of Meiji (1894); *and at Ottawa, 12th day of 10 month, 27th year of Meiji* (1894); *Promulgated 13th day of 12th month, 27th year of Meiji* (1894).

The Minister of State for Communications of the Empire of Japan and the Postmaster General of Canada being desirous of modifying the Convention for the exchange of closed parcels by mail made between the Department of communications of the Empire of Japan and the Post Office Department of Canada, under date of the 3rd day of the 9th month of the 23rd year of Meiji (1890), and 22nd June, 1890, have agreed upon the following modifications:—

ARTICLE 1.

The words "20 cents" shall be substituted for the words "25 cents," in Article 4 of the above named Convention. (652)

ARTICLE 2.

Article 5 of the said Convention is replaced by the following Article:

5.—This postage rate shall be divided as follows: to credit of Japan, 6 cents per lb. for land transit, and to credit of Canada, 8 cents per lb. for sea transit, and 6 cents for land transit. (662)

ARTICLE 3.

The present Supplement modifying the Convention shall take effect from the 1st day of the 1st month of the 28th year of Meiji (1895), or the 1st January, 1895. (652)

Done in duplicate and signed in Tokyo, Japan, on the 11th day of the 9th month of the 27th year of Meiji (1894), and in Ottawa, Canada, on the 12th day of October, 1894.

(Signed) Count KURODA KIYOTAKA,
Minister of State for Communications
of the Empire of Japan.

(Signed) .....
Postmaster General of Canada.

AGREEMENT CONCERNING THE EXCHANGE OF POSTAL PARCELS BETWEEN JAPAN AND COMMONWEALTH OF AUSTRALIA.

Signed at Tokio, 29th day of 10th month, 39th year of Meiji (1906); *and at Melbourne, 24th day of 4th month, 39th year of Meiji* (1906); *Promulgated 8th day of 11th month, 39th year of Meiji* (1906).

The Department of Communications of the Empire of Japan and the Post Office of the Commonwealth of Australia agree to effect a regular exchange of

uninsured parcels between the Empire of Japan and the Commonwealth of Australia.

The following Regulations shall be generally applicable, not only to parcels exchanged direct between the Empire of Japan and the Commonwealth of Australia, but also to parcels sent in transit to or from one of the two countries through the other :—

ARTICLE I.

Parcels may be forwarded by Parcel Post from the Empire of Japan to the Commonwealth of Australia up to the weight of 1,320 momme, and from the Commonwealth of Australia to the Empire of Japan up to the weight of eleven pounds English. (653)

ARTICLE II.

1. The two Post Offices guarantee the right of transit for parcels over their territory to or from any country with which they respectively have Parcel Post communication.

2. In the absence of any arrangement to the contrary between the Administrations concerned the conveyance of parcels thus exchanged will be effected à découvert. (653)

ARTICLE III.

The prepayment of the postage on parcels shall be compulsory, except in the case of redirected parcels. (653)

ARTICLE IV.

1. The Post Office of the country of origin shall pay to the Post Office of the country of destination the territorial postage of the latter and also the sea postage if the latter Office provides for the sea service, calculated in accordance with the following tables :—

(*a*) Parcels originating in the Empire of Japan addressed to the Commonwealth of Australia :—

	Not over 360 momme (3 lbs.)	Over 360 momme (3 lbs.) but not over 840 momme (7 lbs.)	Over 840 momme (7 lbs.) but not over 1320 momme (11 lbs.)
	Fr. C.	Fr. C.	Fr. C.
Territorial rate of the Empire of Japan ...	.50	1.00	1.50
For sea conveyance between the Empire of Japan and the Commonwealth of Australia ...	.50	1.25	2.00
Territorial rate of the Commonwealth of Australia ...	1.00	2.00	3.00
TOTAL	2.00	4.25	6.50

(*b*) Parcels originating in the Commonwealth of Australia addressed to the Empire of Japan :—

	Not over 1 lb. (120 momme)	Over 1 lb. (120 momme) but not over 2 lbs. (240 momme)	Over 2 lbs. (240 momme) but not over 3 lbs. (360 momme)	Over 3 lbs. (360 momme) but not over 4 lbs. (480 momme)	Over 4 lbs. (480 momme) but not over 5 lbs. (600 momme)	Over 5 lbs. (600 momme) but not over 6 lbs. (720 momme)	Over 6 lbs. (720 momme) but not over 7 lbs. (840 momme)	Over 7 lbs. (840 momme) but not over 8 lbs. (960 momme)	Over 8 lbs. (960 momme) but not over 9 lbs. (1080 momme)	Over 9 lbs. (1080 momme) but not over 10 lbs. (1200 momme)	Over 10 lbs. (1200 momme) but not over 11 lbs. (1320 momme)
	Fr. C.	Fr. C.	Fr. C.	Fr. C.	Fr. C.	Fr. C.	Fr. C.	Fr. C.	Fr. C.	Fr. C.	Fr. C.
Territorial rate of the Commonwealth of Australia	.70	1.00	1.30	1.60	1.90	2.20	2.50	2.80	3.10	3.40	3.70
For sea conveyance between the Commonwealth of Australia and the Empire of Japan	.50	.50	.50	1.25	1.25	1.25	1.25	2.00	2.00	2.00	2.00
Territorial rate of the Empire of Japan	.50	.50	.50	1.00	1.00	1.00	1.00	1.50	1.50	1.50	1.50
TOTAL	1.70	2.00	2.30	3.85	4.15	4.45	4.75	6.30	6.60	6.90	7.20

2. The totals thus arrived at shall form the basis for determining the sums to be collected from the senders, but in fixing the rates of postage either Administration shall be at liberty to adopt such approximate amounts as may be convenient in its own currency. (653)

ARTICLE V.

The sender of a parcel may obtain an acknowledgment of receipt on prepayment of a fixed fee not exceeding 25 centimes. The same fee may be

applied to requests for information about the disposal of a parcel which are made after it has been posted, if the sender has not already paid the special fee to obtain acknowledgment of receipt. The whole of this fee is retained by the Administration of the country of origin. (655)

ARTICLE VI.

In case of parcels originating in or forwarded by one of the two contracting countries and sent in transit through the other, the Post Office of the intermediate country shall be credited by the other Post Office with the sums due to the former for the conveyance of such parcels, in accordance with tables to be mutually communicated. (655)

ARTICLE VII.

The Post Office of the country of destination may levy from the addressees, for the delivery of the parcels and for the fulfilment of Custom House formalities, a charge not exceeding 25 centimes for each parcel. (655)

ARTICLE VIII.

The parcels to which the present Agreement applies can not be subjected to any postal charge other than those contemplated by the different articles of this Agreement. (655)

ARTICLE IX.

For the redirection of parcels from one country to the other, as well as for the return of undelivered parcels, a supplementary charge on the basis of the rates fixed by Article IV. shall be collected from the addressees or the senders, as the case may be. A supplementary charge may also be made for warehousing. (655)

ARTICLE X.

1. It is forbidden to send by post :—

(*a*) Parcels containing letters, or communications of the nature of a letter, live animals, except bees in properly constructed boxes, or articles the admission of which is not authorised by the Customs or other laws or regula-

tions of either country (a parcel may, however, contain an open invoice in its simplest form) ;

(*b*) Parcels containing explosive or inflammable articles, and in general articles, the conveyance of which is dangerous.

2. It is equally forbidden to send coin, anything made of gold or silver, or other precious articles from one country to the other.

3. If a parcel contravening any of these prohibitions shall be handed over by one Administration to the other, the latter shall proceed in the manner and with the formalities prescribed by its law or inland regulations.

4. The two Administrations shall furnish each other with a list of prohibited articles but they will not thereby undertake any responsibility whatever towards either the police, the Customs authorities, or the senders of parcels. (656)

ARTICLE XI.

The Postal Administration of either of the contracting countries will not be responsible for the loss or damage of any parcel ; but either Administration is at liberty to indemnify the sender of any parcel which may be lost or damaged on the territory of its own country. (656)

ARTICLE XII.

The cost of the receptacles in which parcel mails are exchanged between the two countries shall be shared equally between the two Administrations. (656)

ARTICLE XIII.

In extraordinary circumstances such as will justify the measure, either Administration may temporarily suspend the Parcel Post either entirely or partially, on condition of giving immediate notice, if necessary, by telegraph, to the other Administration interested. (657)

ARTICLE XIV.

1. The internal legislation of both the Empire of Japan and the Commonwealth of Australia shall remain applicable as regards everything not provided for by the stipulations contained in the present Agreement.

2. The Administrations shall communicate to each other from time to time the provisions of their laws or regulations applicable to the conveyance of parcels by Parcel Post. (657)

ARTICLE XV.

The two Postal Administrations shall indicate the offices or localities which they admit to the international exchange of parcels : they shall regulate the mode of transmission of these parcels, and fix all other measures of detail and order necessary for ensuring the present Agreement. (657)

ARTICLE XVI.

This Agreement shall come into operation on the day fixed by common consent between the two Postal Administrations and shall be terminable on a notice of one year by either party. (657)

Done in duplicate and signed at Melbourne, Australia on the 24th day of April, one thousand nine hundred and six ; and at Tokio, Japan on the 29th day of the 10th month of the 39th year of Meiji (one thousand nine hundred and six).

I. YAMAGATA,
Minister of State for Communications,
Empire of Japan.

LITTLETON ERNEST GROOM,
Acting Postmaster General,
Commonwealth of Australia.

AGREEMENT CONCERNING THE EXCHANGE OF POSTAL PARCELS

BETWEEN

JAPAN AND GREAT BRITAIN.

Signed at Tokio, 19th day of 7th month, 40th year of Meiji (1907); *and at London, 31st day of 1st month, 40th year of Meiji* (1907); *Promulgated 3rd day of 8th month, 40th year of Meiji* (1907).

The Department of Communications of the Empire of Japan and the Post Office of the United Kingdom of Great Britain and Ireland agree to effect a regular exchange of parcels between the Empire of Japan and the United Kingdom.

The following regulations shall be generally applicable, not only to parcels exchanged direct between the Empire of Japan and the United Kingdom, but also to parcels sent in transit to or from one of the two countries through the other :—

I.

1. Parcels may be forwarded viâ Canada or viâ Suez by Parcel Post from the Empire of Japan to the United Kingdom up to the weight of 1,320 momme, and from the United Kingdon to the Empire of Japan up to the weight of 11 pounds English.

2. The parcels thus exchanged may be insured up to the sum of 1,000 francs if sent viâ Canada, and 500 francs if sent viâ Suez. (658)

II.

1. The two Post Offices guarantee the right of transit for parcels over their territory to or from any country with which the respectively have Parcel Post communications ; and they undertake responsibility for transit parcels within the limits determined by Article XII. below.

2. In the absence of any arrangement to the contrary between the Administrations concerned the conveyance of parcels thus exchanged will be effected à découvert. (658)

III.

The prepayment of the postage on parcels shall be compulsory, except in the case of re-directed parcels. (658)

IV.

1. The Post Office of the country of origin shall pay to the Post Office of the country of destination the territorial postage of the latter and also the intermediate postage, if the latter office provides for the service, calculated in accordance with the following tables :—

FOR PARCELS EXCHANGED BY THE ROUTE OF CANADA.

	Not over 360 momme (3 lbs.)	360 momme (3 lbs.) to 840 momme (7 lbs.)	840 momme (7 lbs.) to 1,320 momme (11 lbs.)
	Fr. c.	Fr. c.	Fr. c.
Territorial rate of the Empire of Japan	0 75	0 75	0 75
For conveyance between the Empire of Japan and the United Kingdom	1 00	2 00	3 00
Territorial rate of the United Kingdom	0 50	1 00	1 50
TOTAL	2 25	3 75	5 25

FOR PARCELS EXCHANGED BY THE ROUTE OF SUEZ.

	Not over 360 momme (3 lbs.)	360 momme (3 lbs.) to 840 momme (7 lbs.)	840 momme (7 lbs.) to 1,320 momme (11 lbs.)
	Fr. c.	Fr. c.	Fr. c.
Territorial rate of the Empire of Japan	0 75	0 75	0 75
For sea conveyance between the Empire of Japan and Marseilles	0 50	1 25	2 00
Territorial rate of France	0 50	0 50	0 50
For Channel service	0 25	0 25	0 25
Territorial rate of the United Kingdom	0 50	1 00	1 50
TOTAL	2 50	3 75	5 00

2. The totals thus arrived at shall form the basis for determining the sums to be collected from the senders ; but in fixing the rates of postage either Administration shall be at liberty to adopt such approximate amounts as may be convenient in its own currency. (858)

V.

The accounting between the two Administrations in respect of the insurance fee shall be at the rate of 35 centimes for each 300 francs or fraction thereof, and shall be divided in the following manner :—

Office of origin.....5 centimes.
Office of destination.....5 ,,
French (or Canadian) transit.....5 ,,
Each sea service .....10 ,,

2. The office of origin is also entitled to collect from the sender of each insured parcel and to retain a registration fee not exceeding 25 centimes. (660)

VI.

The sender of an insured parcel may obtain an acknowledgment of receipt on prepayment of a fixed fee not exceeding 25 centimes. The same fee may be applied to requests for information about the disposal of an insured parcel which are made after it has been posted, if the sender has not already paid the special fee to obtain an acknowledgment of receipt. The whole of this fee is retained by the Administration of the country of origin. (660)

VII.

In the case of parcels originating in or forwarded by one of the two contracting countries and sent in transit through the other, the Post Office of the intermediate country shall be credited by the other Post Office with the sums due to the former for the conveyance and insurance of such parcels, in accordance with tables to be mutually communicated. (660)

VIII.

1. The parcels shall, at the request of the senders, be delivered by a special messenger immediately after arrival at the office of delivery.

2. On these parcels, which shall be styled "Express Parcels," and shall

be marked as such by the senders, an express delivery fee of 50 centimes shall be payable by the senders in addition to the postage. This fee shall be credited in the parcel bill to the Post Office of the country of destination.

3. When the residence of the addressee of an express parcel is at a distance from the office of delivery, that office may collect for the delivery of the parcel a supplementary charge not exceeding the fee fixed for such delivery according to the inland tariff of the country of destination, less the equivalent of the special fee paid by the sender.

4. Only one attempt shall be made to deliver an express parcel by a special messenger.

After a fruitless attempt such a parcel shall cease to be considered as an express parcel; and its delivery shall take place in the conditions fixed for ordinary parcels.

5. If an express parcel shall be redirected to another country before any attempt has been made to deliver it by special messenger, the express delivery fee shall be credited to the Post Office of the new country of destination, provided that this office has consented to undertake express delivery.

Otherwise the fee shall be retained by the office of the first destination; and this shall also be done in the ease of undelivered parcels. (661)

IX.

The parcels to which the present Agreement applies cannot be subjected to any postal charge other than those contemplated by the different articles of this Agreement. (661)

X.

For the redirection of parcels from one country to the other, as well as for the return of undelivered parcels, a supplementary charge on the basis of the rates fixed by Articles IV. and V. shall be collected from the addressees or the senders, as the case may be. A supplementary charge may also be made for warehousing. (661)

XI.

1. It is forbidden to send by post:

(*a*) Parcels containing letters, or communications of the nature of a letter,

live animals except bees in properly costructed boxes, or articles the admission of which is not authorized by the Customs or other laws or regulations of either country (a parcel may, however, contain an open invoice in its simplest form) ;

(*b*) Parcels containing explosives or inflammable articles, and in general articles the conveyance of which is dangerous.

2. It is equally forbidden to send coin, anything made of gold or silver, or other precious articles from one country to the other in uninsured parcels.

3. If a parcel contravening any of these prohibitions shall be handed over by one Administration to the other, the latter shall proceed in the manner and with the formalities prescribed by its laws or inland regulations.

4. The two Administrations shall furnish each other with a list of prohibited articles ; but they will not thereby undertake any responsibility whatever towards the police, the Customs authorities, or the senders of parcels. (662)

XII.

1. In all cases of loss, abstraction or damage, except such as are beyond control, the sender, or, in default or at the request of the sender, the addressee, shall be entitled to an indemnity corresponding with the actual amount of the loss, abstraction or damage, unless the damage has arisen from the fault or negligence of the sender or from the nature of the article, and provided always what the indemnity does not exceed, in the case of an uninsured parcel, 25 francs, and in the case of an insured parcel, the sum for which it has been insured. The sender of a parcel which has been lost, or of which the contents have been completely destroyed in the post, shall also be entitled to the return of the postage. In any case the insurance fee is retained by the Postal Administration.

2. The obligation of paying the indemnity shall rest with the Administration to which the despatching office is subordinate. To that Administration is reserved a remedy against the Administration responsible, that is to say, against the Administration on the territory or in the service of which the loss or the damage took place.

3. Until the contrary is shown, the responsibility shall rest with the Administration which, having received the parcel without making any obser-

vation, cannot prove its delivery to the addressee or, in the case of a transit parcel, its regular transfer to the following Administration.

4. The payment of the indemnity to the sender or addressee ought to take place as soon as possible, and at the latest within a year of the date of the application. The Administration responsible will be bound to make good without delay the amount of the indemnity paid.

5. It is understood that no application for an indemnity will be entertained unless made within a year of the posting of the parcel ; after this term the applicant will have no right to any indemnity.

6. If the loss, abstraction or damage shall have occurred in course of conveyance between the exchanging offices of the two countries and it shall not be possible to ascertain on the territory or in the service of which the loss, abstraction or damage took place, each Administation shall pay half of the indemnity.

7. The Administrations will cease to be responsible for parcels of which the owners have accepted delivery. (662)

XIII.

1. No parcel may be insured for an amount above the real value of its contents.

2. In case the sender of an insured parcel, which intent to defraud, shall declare the contents to be above their real valve, he shall lose all claim to compensation ; and the enforcement of this rule shall not prejudice any legal proceedings admitted by the law of the country of origin. (663)

XIV.

The cost of the receptacles in which parcel mails are exchanged between the two countries shall be shared equally between the two Administrations. (664)

XV.

In extraordinary circumstances such as will justify the measure, any Administration may temporarily suspend the Parcel Post, either entirely or partially, on condition of giving immediate notice, if necessary by telegraph, to the Administration interested. (664)

XVI.

1. The internal legislation of both the Empire of Japan and the United Kingdom shall remain applicable as regards everything not provided for by the stipulations contained in the present Agreement.

2. The Administrations shall communicate to each other from time to time the provisions of their laws or regulations applicable to the conveyance of parcels by Parcel Post. (664)

XVII.

The two Postal Administrations shall indicate the offices or localities which they admit to the International exchange of parcels: they shall regulate the mode of transmission of these parcels and fix all other measures of detail and order necessary for ensuring the performance of the present Agreement. (664)

XVIII.

This Agreement shall supersede the Agreement dated at Tokio the 21st day of the 5th month of the 29th year of Meiji and at London the 23rd of June, 1896.

It shall come into operation on the day to be fixed by common consent between the two Postal Administrations and shall be terminable on a notice of one year by either party. (664)

Done in duplicate at London the thirty-first day of January, 1907 and at Tokio the 19th day of the 7th month of the 40th year of Meiji.

ISSABURO YAMAGATA,
Minister of State for Communications.

SYDNEY BUXTON,
Postmaster General.

AGREEMENT CONCERNING THE EXCXANGE OF POSTAL PARCELS

BETWEEN

JAPAN AND HONGKONG.

Signed at Tokio, 19th day of 7th month, 40th year of Meiji (1907); *and at Hongkong, 1st day of 8th month, 40th year of Meiji* (1907); *Promulgated 29th day of 8th month, 40th year of Meiji* (1907).

The Department of Communications of the Empire of Japan and the Post Office of Hongkong agree to effect a regular exchange of parcels between the Empire of Japan and Hongkong.

The following Regulations shall be generally applicable, not only to parcels exchanged direct between the Empire of Japan and Hongkong, but also to parcels sent in transit to or from one of the two countries through the other :—

ARTICLE I.

1. Parcels may be forwarded by Parcel Post from the Empire of Japan to Hongkong up to the weight of 1,320 momme, and from Hongkong to the Empire of Japan up to the weight of eleven pounds English.

2. The parcels thus exchanged may be insured up to the sum of 3,000 francs. (665)

ARTICLE II.

1. The two Post Offices guarantee the right of transit for parcels over their territory to or from any country with which they respectively have Parcel Post Communication ; and they undertake responsibility for transit parcels within the limits determined by Article XII. below.

2. In the absence of any arrangement to the contrary between the Administrations concerned, the conveyance of parcels thus exchanged will be effected à découvert. (665)

ARTICLE III.

The prepayment of the postage on parcels shall be compulsory, except in the case of redirected parcels. (665)

ARTICLE IV.

1. The Post Office of the country of origin shall pay to the Post Office of the country of destination the territorial postage of the latter and also the sea postage if the latter Office provides for the sea service, calculated in accordance with the following table :—

	Not over 360 mome or 3 lbs.	Over 360 momme or 3 lbs. but not over 840 momme or 7 lbs.	Over 840 momme or 7 lbs. but not over 1,320 momme or 11 lbs.
	Fr. c.	Fr. c.	Fr. c.
Territorial rate of the Empire of Japan	.50	.75	1.00
For sea conveyance between the Empire of Japan and Hongkong	.50	1.00	1.50
Territorial rate of Hongkong	.25	.50	.75
TOTAL	1.25	2.25	3.25

2. The totals thus arrived at shall form the basis for determining the sums to be collected from the senders, but in fixing the rates of postage either Administration shall be at liberty to adopt such approximate amounts as may be convenient in its own currency. (666)

ARTICLE V.

1. The accounting between the two Administrations in respect of Insurance fee shall be at the rate of 25 centimes for each 300 francs or fraction thereof and shall be divided in the following manner :—

Office of.....10 centimes.
Office of destination ..... 5 centimes.
Sea Service .....10 centimes.

2. The Office of origin is also entitled to collect from the sender of each insured parcel and to retain a registration fee not exceeding 25 centimes. (666)

ARTICLE VI.

The sender of a parcel may obtain an acknowledgment of receipt in prepayment of a fixed fee not exceeding 25 centimes. The same fee may be applied to requests for information about the disposal of a parcel which are made after it has been posted, if the sender has not already paid the special fee to obtain an acknowledgment of receipt. The whole of this fee is retained by the Administration of the country of origin. (667)

ARTICLE VII.

In case of parcels originating in or forwarded by one of the two contracting countries and sent in transit through the other, the Post Office of the intermediate country shall be credited by the other Post Office with the sums due to the former for the conveyance and insurance of such parcels, in accordance with tables to be mutually communicated. (667)

ARTICLE VIII.

The Post Office of the country of destination may levy from the addressees, for the delivery of the parcels and for the fulfilment of Custom House formalities, a charge not exceeding 25 centimes for each parcel. (667)

ARTICLE IX.

The parcels to which the present Agreement applies can not be subjected to any postal charge other than those contemplated by the different articles of this Agreement. (667)

ARTICLE X.

For the redirection of parcels from one country to the other, as well as for the return of undelivered parcels, a supplementary charge on the basis of the rates fixed by Articles IV. and V. shall be collected from the addressees or the senders, as the case may be. A supplementary charge may also be made for warehousing. (668)

ARTICLE XI.

1. It is forbidden to send by post :—

(*a*) Parcels containing letters, or communications of the nature of a letter, live animals, except bees in properly constructed boxes, or articles the admission of which is not authorised by the Customs or other laws or regulations of either country (a parcel may, however, contain an open invoice in its simplest form) ;

(*b*) Parcels containing explosive or inflammable articles, and in general articles the conveyance of which is dangerous.

2. It is equally forbidden to send coin, anything made of gold or silver, or other precious articles from one country to the other in uninsured parcels.

3. If a parcel contravening any of these prohibitions shall be handed over by one Administration to the other, the latter shall proceed in the manner and with the formalities prescribed by its law or inland regulations. (668)

ARTICLE XII.

1. In all cases of loss, abstraction or damage, except such as are beyond control, the sender, or, in default or at the request of the sender, the addressee shall be entitled to an indemnity corresponding with the actual amount of the loss, abstraction or damage, unless the damage has arisen from the fault or negligence of the sender or from the nature of the article, and provided always that the indemnity does not exceed, in the case of an uninsured parcel, 25 francs, and, in the case of an insured parcel, the sum for which it has been insured. The sender of parcel which has been lost, or of which the contents have been completely destroyed in the post, shall also be entitled to the return of the postage. In any case the Insurance fee is retained by the Postal Administrations.

2. The obligation of paying the indemnity shall rest with the Administration to which the despatching office is subordinate. To that Administration is reserved a remedy against the Administration responsible, that is to say, against the Administration on the territory or in the service of which the loss or the damage took place.

3. Until the contrary is shown, the responsibility shall rest with the Administration which, having received the parcel without making any obser-

vation, can not prove its delivery to the addressee, or, in the case of a transit parcel, its regular transfer to the following Administration.

4. The payment of the indemnity to the sender or addressee ought to take place as soon as possible, and at the latest within a year of the date of the application. The Administration responsible will be bound to make good, without delay, the amount of the indemnity paid.

5. It is understood that no application for an indemnity will be entertained unless made within a year of the posting of the parcel; after this term the applicant will have no right to any indemnity.

6. If the loss, abstraction or damage shall have occurred in course of conveyance between the exchanging offices of the two countries, and it shall not be possible to ascertain on the territory or in the service of which the loss, abstraction or damage took place, each Administration shall pay half of the indemnity.

7. The Administrations will cease to be responsible for parcels of which the owners have accepted delivery. (668)

ARTICLE XIII.

1. No parcel may be insured for an amount above the real value of its contents.

2. In case the sender of an insured parcel, with intent to defraud, shall declare the contents to be above their real value, he shall lose all claim to compensation; and the enforcement of this rule shall not prejudice any legal proceedings admitted by the law of the country of origin. (669)

ARTICLE XIV.

The cost of the receptacles in which parcel mails are exchanged between the two countries shall be shared equally between the two Administrations. (670)

ARTICLE XV.

In extraordinary circumstances such as will justify the measure, any Administration may temporarily suspend the Parcel Post, either entirely or partially, on condition of giving immediate notice, if necessary by telegraph, to the Administration interested. (670)

ARTICLE XVI.

1. The internal legislation of both the Empire of Japan and Hongkong shall remain applicable as regards everything not provided for by the stipulations contained in the present Agreement.

2. The Administrations shall communicate to each other from time to time, the provisions of their laws or regulations applicable to the conveyance of parcels by Parcel Post. (670)

ARTICLE XVII.

The two Postal Administrations shall indicate the Offices or localities which they admit to the international exchange of parcels ; they shall regulate the mode of transmission of these parcels, and fix all other measures of detail and order necessary for ensuring the performance of the present Agreement. (670)

ARTICLE XVIII.

This Agreement shall supersede the Agreement dated at Tokyo the 26th day of December, 1879 and at Hongkong the 9th December, 1879. It shall come into operation on the day fixed by common consent between the two Postal Administrations and shall be terminable on a notice of one year by either party. (670)

Done in duplicate and signed at Tokyo on the 19th day of the 7th month of the 40th year of Meiji and at Hongkong on the 1st day of August, 1907.

ISSABURO YAMAGATA,
Minister of State for Communications,
Empire of Japan.

C. McI. MESSER,
Postmaster General, Hongkong.

AGREEMENT CONCERNING INDIA AND THE FAR EAST.

Signed at London, 12th day of 9th month, 38th year of Meiji (1905); *Promulgated 27th day of 9th month, 38th year of Meiji* (1905).

PREAMBLE.

The Governments of Japan and Great Britain, being desirous of replacing the Agreement concluded between them on the 30th January, 1902, by fresh stipulations, have agreed upon the following Articles, which have for their object;

(*a.*) The consolidation and maintenance of the general peace in the regions of Eastern Asia and of India;

(*b.*) The preservation of the common interests of all Powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China;

(*c.*) The maintenance of the territorial rights of the High Contracting Parties in the regions of Eastern Asia and of India, and the defense of their special interests in the said regions:—

ARTICLE I.

It is agreed that whenever, in the opinion of either Japan or Great Britain, any of the rights and interests referred to in the preamble of this Agreement are in jeopardy, the two Governments will communicate with one another fully and frankly, and will consider in common the measures which should be taken to safeguard those menaced rights or interests. (671)

ARTICLE II.

If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any Power or Powers either Contracting Party should be involved in war in defence of its territorial rights or special interests mentioned in the preamble of this Agreement, the other Contracting Party will at once come

to the assistance of its ally, and will conduct the war in common, and make peace in mutual agreement with it. (672)

ARTICLE III.

Japan possessing paramount political, military, and economic interests in Corea, Great Britain recognizes the right of Japan to take such measures of guidance, control, and protection in Corea as she may deem proper and necessary to safeguard and advance those interests, provided always that such measures are not contrary to the principle of equal opportunities for the commerce and industry of all nations. (672)

ARTICLE IV.

Great Britain having a special interest in all that concerns the security of the Indian frontier, Japan recognizes her right to take such measures in the proximity of that frontier as she may find necessary for safeguarding her Indian possessions. (672).

ARTICLE V.

The High Contracting Parties agree that neither of them will, without consulting the other, enter into separate arrangements with another Power to the prejudice of the objects described in the preamble of this Agreement. (672)

ARTICLE VI.

As regards the present war between Japan and Russia, Great Britain will continue to maintain strict neutrality unless some other Power or Powers should join in hostilities against Japan, in which case Great Britain will come to the assistance of Japan, and will conduct the war in common, and make peace in mutual agreement with Japan. (672)

ARTICLE VII.

The conditions under which armed assistance shall be afforded by either Power to the other in the circumstances mentioned in the present Agreement, and the means by which such assistance is to be made available, will be arranged by the Naval and Military authorities of the Contracting Parties, who

will from time to time consult one another fully and freely upon all questions of mutual interest. (673)

ARTICLE VIII.

The present Agreement shall, subject to the provisions of Article VI., come into effect immediately after the date of its signature, and remain in force for ten years from that date.

In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said ten years the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. But if, when the date fixed for its expiration arrives, either ally is actually engaged in war, the alliance shall, ipso facto, continue until peace is concluded. (673)

In faith whereof, the Undersigned, duly authorized by their respective Governments, have signed this Agreement and have affixed thereto their Seals

Done in duplicate at London, the 12th day of August, 1905.

(L. S.) TADASU HAYASHI,
Envoy Extraordinary and Minister Plenipotentiary of
His Majesty the Emperor of Japan at the
Court of St. James.

(L. S.) LANSDOWNE,
His Britannic Majesty's Principal Secretary
of State for Foreign Affairs.

GRÈCE.

TREATY OF AMITY, COMMERCE AND NAVIGATION.

Signed at Athens, 1st day of 6th month, 32nd year of Meiji (1899); *Ratified 16th day of 8th month, 32nd year of Meiji* (1899); *Ratifications exchanged at Rome, 21st day of 9th month, 32nd year of Meiji* (1899); *and Promulgated 11th day of 10th month, 32nd year of Meiji* (1899).

His Majesty the Emperor of Japan and His Majesty the King of the Hellenes, being equally animated by a desire to establish upon a firm and lasting foundation, relations of friendship and commerce between their respective States and subjects, have resolved to conclude a Treaty of Amity, Commerce and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan, M. Makino Nobuaki, Jushii, Third Class of the Imperial Order of the Sacred Treasure, His Majesty's Envoy Extraordiary and Minister Plenipotentiary;

And His Majesty the King of the Hellenes, M. Athos Romanos, Knight of the Royal Order of the Saviour, His Majesty's Minister for Foreign Affairs;

Who, having communicated to each other their respective Full Powers, and found them in good and due form, have agreed upon the following articles:—

ARTICLE I.

There shall be firm and perpetual peace and amity between the Empire of Japan and the Kingdom of Greece, and their respective subjects. (674)

ARTICLE II.

His Majesty the Emperor of Japan may, if He sees fit, accredit a Diplomatic Agent to Greece, and His Majesty the King of the Hellenes, may equally, if He thinks proper, accredit a Diplomatic Agent to Japan; and each of the High Contracting Parties shall have the right to appoint Consuls-General, Consuls,

Vice-Consuls and Consular Agents, to reside in all the ports and places within the territories and possessions of the other Contracting Party, where similar Consular officers of the most favored nation are permitted to reside; but before any Consul-General, Consul, Vice-Consul or Consular Agent shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent.

The Diplomatic and Consular officers of each of the two High Contracting Parties shall, subject to the stipulations of this Treaty, enjoy in the territories and possessions of the other whatever right, privileges, exemptions and immunities which are, or shall be, granted there to officers of correspondnig rank of the most favored nation. (674)

ARTICLE III.

There shall be between the territories and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects respectively of each of the High Contracting Parties shall have the right to come freely and securely with their ships and cargoes to all places, ports and rivers, in the territories and possessions of the other, where subjects or citizens of the most favored nation are permitted so to come; they may remain and reside at all the places or ports where subjects or citizens of the most favored nation are permitted to remain and reside, and they may there hire and occupy houses and warehouses, and may there trade by wholesale or retail in all kinds of products, manufactures and merchandise of lawful commerce.

In all that concerns the acquisition, enjoyment and disposition of property of all kinds, the subjects of one of the High Contracting Parties shall be placed in the territories and possessions of the other, on a footing of equality with the subjects or citizens of the nation most favored. (675)

ARTICLE IV.

The High Contracting Parties agree that, in all that concerns residence, travel, commerce and navigation, any privilege, favor or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects, or citizens of any other State, shall be extended immediately and unconditonally to the Goverment, ships, subjects, or citizens of the other Contracting Party, it being their intention that the trade and

navigation of each country shall be placed, in all respects, by the other on the footing of the most favored nation. (675)

ARTICLE V.

No other or higher duties shall be imposed on the importation into Japan of any article, the produce or manufacture of Greece, and, reciprocally no other or higher duties shall be imposed on the impotation into Greece of any article, the produce or manufacture of Japan, than are or shall be payable on the importation, for the same purpose, of the like article being the produce or manufacture of any other foreign country. Nor shall any other or higher duties or charges be imposed in the territories or possessions of either of the two High Contracting Parties on the exportation of any article to the territories or possessions of the other than such as are or may be payable on the exportation of the like article to any other foreign country. No prohibition shall be imposed on the importation of any article, the produce or manufacture of the Territories or Possessions of either of the High Contracting Parties into the Territories or Possessions of the other, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. Nor shall any prohibition be imposed on the exportation of any article from the Territories or Possessions of either of the High Contracting Parties to the Territories or Possessions of the other, which shall not equally extend to the exportation of the like article to the territories of all other Nations. (675)

ARTICLE VI.

In all that relates to transit, warehousing, bounties, facilities and drawbacks, the subjects of each of the High Contracting Parties shall, in the Territiories and Possessions of the other, be placed in all respects upon the most favored nation footing. (676)

ARTICLE VII.

No other or higher duties or charges on account of tonnage, light or harbor dues, pilotage, quarantine, salvage in case of damages, or any other similar or corresponding duties or charges of whatever nature or under whatever denomination levied in the name or for the profit of Government, public func-

tionaries, private individuals, corporations or establishments of any kind, shall be imposed in any of the ports of Japan on vessels of Greece or in any of the ports of Greece on vessels of Japan, than are or may hereafter be payable in the like cases in the same ports on vessels of the most favored nation. (676)

ARTICLE VIII.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty. It shall be regulated by the Laws, Ordinances and Regulations of the two countries respectively. (676)

ARTICLE IX.

All vessels which, according to Japanese law are to be deemed Japanese vessels, and all vessels which, according to Hellenic law are to be deemed Hellenic vessels, shall, for the purpose of the present Treaty, be deemed Japanese and Hellenic vessels respectively. (676)

ARTICLE X.

Any ship-of-war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of deposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and Tariffs of the place to which he may come. If any ship-of-war or merchant vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, such stranded or wrecked ship or vessel, and all parts thereof and all furnitures and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them; if such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by

the laws of the country, and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official aid in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (677)

ARTICLE XI.

The subjects and vessels of Greece resorting to Japan, or to the territorial waters thereof, shall so long as they there remain, be subject to the laws of Japan and to the jurisdiction of Japan; and, in the same manner, the subjects of Japan resorting to Greece and to the territorial waters of Greece shall be subjects to the laws and jurisdiction of Greece. (678)

ARTICLE XII.

The subjects of each of the High Contracting Parties shall, in the Territories and Possessions of the other respectively enjoy perfect protection for their persons and property; they shall have free and open access to the Courts of justice for the prosecution and defence of their rights; and they shall equally with native subjects be at liberty to employ advocates, attorneys or agents to represent them before such Courts of justice.

They shall also enjoy entire liberty of conscience and subject to the laws, ordinances and regulations for the time being in force, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such

suitable and convenient places as may be established and maintained for the purpose. (678)

ARTICLE XIII.

In regard to billeting; forced or compulsory military service, whether by land or sea; contributions of war; military exactions or forced loans, the subjects of each of the two High contracting Parties shall in the Territories and Possessions of the other, enjoy the same privileges, immunities and exemptions as the subject or citizens of the nation most favored in these respects. (678)

ARTICLE XIV.

The dwellings, warehouses and shops of the subjects of each of the High Contracting Parties in the Territories and Possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects of the country. (679)

ARTICLE XV.

The present Treaty shall take effect immediately after the exchange of ratifications, and shall continue in force for the period of twelve years from the date it goes into operation.

Either of the two High Contracting Parties shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same and at the expiration of twelve months after such notice is given, this Treaty shall wholly cease and determine. (679)

ARTICLE XVI.

The present Treaty shall be signed in duplicate in the Japanese, Greek and English languages and in case there should be found any discrepancy between

the Japanese and Greek texts, it will be decided in conformity with the English text, which is binding upon both Governments. (679)

ARTICLE XVII.

The present Treaty shall be ratified by the two Contracting Parties, and the ratifications shall be exchanged at Rome as soon as possible. (679)

In witness whereof, the respective Plenipotentiaries have signed this Treaty and hereunto affixed their respective seals.

Done in sextuplicate at Athens this first day of the sixth month of the thirty-second year of Meiji, corresponding to the twentieth day of May of the year one thousand eight hundred and ninety-nine of the Christian Era.

(L. S.) N. MAKINO. (L. S.) A. ROMANOS.

ITALIE.

TRATTATO DI COMMERCIO E NAVIGAZIONE.

Firmato a Roma il 1° giorno del 12° mese del 28° anno di Meiji (1894); *Ratificato il 21° girono del 2° mese di 28° anno di Meiji* (1859); *Ratificazione scambiata a Roma 4° giorno die 8° mese di 28° anno di Meiji* (1895); *e promulgato 16° giorno di 8° mese di 28° anno di Meiji* (1895).

Sua Maestià l'Imperatore del Giappone e Sua Maestà il Re d'Italia egualmente animati dal desiderio di mantenere le relazioni di buona intelligenza ora fortunatamente esistenti fra di essi ampliando ed accrescendo gli scambi fra i loro Stati rispettivi e convinti che tale scopo non si possa meglio conseguire che con la revisione dei trattati in vigore fra i due Paesi hanno deliberato di compiere siffattá revisione in base di principii di equità e di reciproco vantaggio ed hanno a tal fine nominato Plenipotenziari Sua Maestà l'Imperatore del Giappone: Mr. Takahira Kogoro, Jushiii, quinta classe dell'ordine imperiale del Sacro Tesoro e Sua Maestà il Re d'Italia: Sua Excellenza il Barone Alberto Blanc, Senatore del Regno d'Italia, cavaliere gran croce decorato del gran cordone

TREATY OF COMMERCE AND NAVIGATION

Signed at Rome, 1st day of 12th month, 27th year of Meiji (1894); *Ratified 21st day of 2nd month, 28th year of Meiji* (1895); *Ratifications exchanged at Rome, 4th day of 8th month, 28th year of Meiji* (1895); *and Promulgated 16th day of 8th month, 28th year of Meiji* (1895).

His Majesty the Emperor of Japan, and His Majesty the King of Italy, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convincend that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan, M. Takahira Kogoro, Jushii, Fifth Class of the Imperial Order of the Sacred Treasure, His Majesty's Envoy Extraordinary and Minister Plenipo-

degli ordini dei S. S. Maurizio e Lazzaro e della Corona d'Italia, suo Ministro degli Affari Esteri ;

I quali, dopo essersi reciprocamente comunicati i loro pieni-poteri, trovati in buona e debita forma, hanno stipulato il seguente Trattato di commercio e navigazione :

ARTICOLO I.

I sudditi di ciascuna delle due Alte Parti contraenti avranno piena libertà di entrare, viaggiare e stabilirsi in qualunque parte del territorio e possedimenti dell'altra Parte contraente, e godranno piena e perfetta protezione per le loro persone e proprietà.

Essi avranno libero e facile accesso ai tribunali per far valere e difendere i loro diritti ; saranno liberi, al pari dei nazionali, di scegliere avvocati, notai, procuratori ed altri rappresentanti, e valersi dell'opera loro per esperire e difendere i propri diritti davanti ai tribunali ; ed in tutte le altre materie, concernenti l'amministrazione della giustizia, essi godranno degli stessi diritti e privilegi spettanti ai nazionali.

tentiary at the Court of His Majesty the King of Italy ;

And His Majesty the King of Italy, His Excellency Baron Albert Blanc, Senator of the Italian Kingdom, Knight Grand Cross of the Italian Orders of St. Maurice and Lazarus and of the Crown of Italy, His Majesty's Minister for Foreign Affairs ;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel or reside in any part of the dominions and possessions of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights ; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

Per tutto cio che riguarda i diritti di risiedere e di viaggiare; di possedere beni ed effetti di ogni specie; di succedere nei beni mobili per testamento, o altrimenti; di disporre delle proprietà di qualunque genere e in qualunque maniera, che essi possano legalmente acquistare; i sudditi di ciasscuna delle Parti contraenti godranno negli Stati e possedimenti dell'altra i medesimi privilegi, libertà e diritti e non saranno soggetti, a questo riguardo, ad imposizioni o tasse, nè diverse nè maggiori di quelle, che gravano sopra i nazionali, o sopra i sudditi o cittadini della nazione più favorita.

I sudditi di ciascuna delle Parti contraenti godranno negli stati e possedimenti dell'altra piena libertà di coscienza e, subordinatamente alle leggi, ordinanze e regolamenti, avranno diritto al pieno e libero esercizio del loro culto in pubblico ed in privato, e la facoltà di seppellire i propri connazionali, secondo le pratiche della loro religione, e nei luoghi che saranno a tale uso stabiliti e mantenuti.

Essi non protranno sotto nessun pretesto, essere obbligati a pagare tasse o diritti nè diversi nè maggiori di quelli che siano o possano essere pagati dai nazionali, o dai sudditi e cittadini della nazione più favorita. (681)

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort in any manner whatsoever, which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the dominions and possessions of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other entire liberty of conscience, and, subject to the Laws, Ordinances and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation. (681)

ARTICOLO II.

I sudditi di ciascuna delle Parti contraenti, che risiedano negli Stati o possedimenti dell'altra saranno esenti da qualunque servizio militare obbligatorio sia nell'esercito che nell'armata, nella guardia nazionale, o altra milizia qualsiasi, nonchè da qualunque contribuzione imposta invece del servizio personale, e da ogni imprestito forzoso, tassa o contribuzione militare. (682)

ARTICLE II.

The subjects of either of the Contracting Parties residing in the dominions and possessions of the other shsll be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia ; from all contributions imposed in lieu of personal service ; and from all forced loans or military exactions or contributions. (682)

ARTICOLO III.

Vi sarà reciprocamente piena ed intiera libertà di commercio e di navigazione fra gli Stati e possedimenti delle due Alte Parti contraenti.

I sudditi delle medesime potranno esercitare il commercio in qualunque parte degli Stati e possedimenti rispettivi all'ingrosso ed al minuto, in qualunque genere di prodotti del suolo, dell'industria e di merci di legittimo commercio, sia personalmente, che per mezzo di agenti, sia individualmente, che in società, con forestieri, o indigeni ; essi potranno possedere, avere in proprietà, affittare e occupare le case, manifatture, magazzini, botteghe e locali a loro necessari ; godere in enfiteusi terreni a scopo di abitazione e commercio, conformandosi alle leggi ed

ARTICLE III.

There shall be reciprocal freedom of commerce and navigation between the the dominions and possessions of the two High Contracting Parties.

The subjects of each of the High Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects ; and they may there own or hire and occupy the houses, manufactories, warehouses, shops and premises, which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the Laws, and Police and Customs

ai regolamenti di polizia e dogana del paese, al pari dei nazionali.

Essi potranno approdare liberamente colle loro navi e carichi in qualunque piazza porto o fiume degli stati e possedimenti rispettivi che siano o che possano, in seguito, venire aperti al commercio straniero, e godranno rispettivamente in materia di commercio e navigazione, il medesimo trattamento dei nazionali o dei sudditi o cittadini della nazione più favorita, senza dover pagare diritti, tasse o imposte sotto qualsiasi nome o specie, riscossi in nome, o per conto del governo, di pubblici funzionari, di privati, di corporazioni e d'istituzioni di qualunque specie, diversi o maggiori di quelli pagati dai nazionali o dai sudditi e cittadini della nazione più favorita, subordinatamente sempre alle leggi, ordinanze e regolamenti di ciascun Paese. (682)

ARTICOLO IV.

Le abitazioni, manifatture, magazzini, botteghe dei sudditi di ciascuna delle Alte Parti contraenti negli Stati e possedimenti dell'altra, e tutti i locali relativi destinati a scopo di abitazione o di commercio saranno rispettati.

Non sarà permesso di perquisire o anche solo far visite dominiciliari

Regulations of the country like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the dominions and possessions of the other, which are, or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation, subject always to the Laws, Ordinances and Regulations of each country. (682)

ARTICLE IV.

The dwellings, manufactories, warehouses and shops of the subjects of each of the High Contracting Parties in the domimions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary

in tali abitazioni e locali, esaminare e verificare i libri, carte o contabilità, se non osservando le condizioni e forme prescritte dalle leggi, ordinanze e regolamenti vigenti per i sudditi del paese. (683)

visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the Laws, Ordinances and Regulations for subjects of the country. (683)

ARTICOLO V.

Sopra i prodotti del suolo e dell'industria degli Stati e possedimenti di una delle Parti contraenti, importati negli Stati o possedimenti dell' altra, da qualunque località essi provengano, non saranno, imposti diritti nè diversi nè maggiori di quelli che gravano sopra i medesimi prodotti del suolo o dell'industria di qualunque altro Paese estero ; nè potrà essere imposto o mantenuto il divieto d'importazione di qualsiasi prodotto del suolo o dell'industria degli Stati e possedimenti di una delle Alte Parti contraenti negli Stati o possedimenti dell'altra, da qualunque località provengano, so lo stesso divieto non sarà ugualmente esteso alla importazione dei medesimi prodotti del suolo e dell'industria di tutti gli altri Paesi.

Quest'ultima disposizione non è applicabile ai divieti sanitari e a quelli altri richiesti dalla necessità di tutelare la salute delle persone e la conservazione del bestiame e delle piante utili all'agricoltura. (683)

ARTICLE V.

No other or higher duties shall be imposed on the importation into the dominions and possessions of His Royal Italian Majesty, of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving ; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan, of any article, the produce or manufacture of the dominions and possessions of His Royal Italian Majesty, from whatever place arriving, than on the like article produced or manufactured in any other foreign country ; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation

of the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (683)

ARTICOLO VI.

Sopra l'esportazione dei prodotti del suolo e dell'industria di una delle Alte Parti contraenti negli Stati e possedimenti dell'altra non sarà imposto nessun diritto, nè diverso, nè maggiore di quelli, che siano o possano essere stabiliti par la esportazione di quegli stessi prodotti in tutti gli altri Paesi; nè sarà imposto un divieto per la esportazione di un prodotto qualsiasi dagli Stati o possedimenti di una delle parti contraenti negli stati o possedimenti dell'altra, se lo stesso divieto non sia esteso all'esportazione dei medesimi prodotti in tutti gli altri Paesi. (684)

ARTICLE VI.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country. (684)

ARTICOLO VII.

I sudditi di ciascuna delle Alte Parti contraenti saranno esenti negli Stati e possedimenti dell'altra da qualunque irditto di transito, ed avranno parità

ARTICLE VII.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and

perfetta di trattamento coi nazionali per tutto ciò che riguarda magazzinaggio, premi, facilitazioni e *drawbacks.* (684)

ARTICOLO VIII.

Tutti i prodotti che possono essere legalmente importati nei porti degli Stati e possedimenti di Sua Maestà l'Imperatore del Giappone su navi giapponesi potranno egualmente essere importati in detti porti su navi italiane, senza essere assoggettati a diritti o pesi comunque chiamati, nè diversi nè maggiori di quelli, che tali prodotti pagherebbero, se fossero importati da navi giapponesi; e, reciprocamente, tutti i prodotti che possono essere legalmente importati nei porti degli Stati e possedimenti di Sua Maestà il Re d'Italia su navi italiane, potranno del pari essere portati nei detti porti su navi giapponesi, senza essere assoggettati a qualsivoglia diritto o peso diverso o maggiore di quello, che pagherebbero i medesimi prodotti, se portati su navi italiane.

Cosi fatta reciproca parità di trattamento avrà effetto indistintamente, sia che tali prodotti provengano direttamente dai luoghi d'origine, come da qualunque altro luogo.

Similmente vi sarà perfetta parità di trattamento per quel che riguarda l'esportazione, di modo che gli stessi

a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities and drawdacks. (684)

ARTICLE VIII.

All articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Italian vessels, without being liable to any other or hightr duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are, or may be, legally imported into the ports of the dominions and possessions of His Royal Italian Majesty in Italian vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Italian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same

diritti d'esportazione saranno pagati, e gli stessi premi e drawbacks, concessi negli Stati e possedimenti di ciascuna delle Alte Parti contraenti per l'esportazione di qualunque prodotto che possa essere legalmente esportato, sia che l'esportazione avenga su navi giapponesi o italiane, e qualunque possa essere il luogo di destinazione, sia un porto di una delle Parti contraenti sia un porto di una terza Potenza. (684)

bounties and drawbacks allowed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese or in Italian vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power. (684)

ARTICOLO IX.

Nessun diritto di tonnellaggio, porto, pilotaggio, faro, quarantena o altri simili ed equivalenti di qualunque natura o denominazione, riscosso in nome o per conto del Governo, di pubblici funzionari, di privati di corporazioni o istituzioni di qualnnque specie, sarà imposto nei porti degli Stati o possedimenti di una delle Parti sopra le navi dell'altra, se non sarà ugualmente stabilito nelle stesse condizioni e casi, sulle navi nazionali in generale o sopra le navi della nazione più favorita.

Tale paritia di trattamento si applicherà reciprocamente alle navi rispettive, da qualunque porto o luogo esse arrivino e qualunque possa essere il loro luogo di destinazione. (685)

ARTICLE IX.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination. (685)

ARTICOLO X.

Per tutto quello che riguarda la permamenza, il carico, scarico di navi nei porti, bacini, docks, rade, porti e fiumi degli Stati e possedimenti dei due Paesi, nessun privilegio potrà essere concesso alle navi nazionali senza essere ugualmente consentito per le navi dell'altro paese, essendo intenzione delle Alte Parti contraenti che, anche sotto questo riguardo, le navi rispettive siano trattate sulla base della perfetta uguaglianza. (685)

ARTICOLO XI.

Il commercio di cabottaggio di entrambe le Alte Parti Contraenti è sottratto alle disposizioni del presente Trattato, e sarà regolato rispettivamente dalle leggi, ordinanze e regolamenti del Giappone e dell'Italia.

Resta nondimeno stabilito, che i sudditi giapponesi negli stati e possedimenti di Sua Maestà il Re d'Italia e i sudditi italiani negli Stati e possedimenti di Sua Maestà l'Imperatore del Giappone godranno in questa materia, i diritti che sono o potranno essere consentiti ai sudditi o cittadini di qualunque altro Stato, subordinatamente alle anzidette leggi, ordinanze e regolamenti.

Una nave giapponese caricata in

ARTICLE X.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (685)

ARTICLE XI.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the Laws, Ordinances and Regulations of Japan and of Italy, respectively. It is, however, understood that Japanese subjects in the dominions and possessions of His Royol Italian Majesty, aud Italian subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such Laws, Ordinaces and Regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign

paese estero, con carico destinato a due o più porti degli Stati o possedimenti di Sua Maestà il Re d'Italia ed una nave italiana caricata in paese estero con carico destinato a due o più porti degli Stati e possedimenti di Sua Maestà l'Imperatore del Giappone, ha facoltà di lasciare una parte del suo carico in un porto e continuare il suo viaggio per un altro o altri porti di destinazione nei quali sia permesso il commercio estero, allo scopo di sbarcare il resto del carico originario, subordinatamente sempre alle leggi ed ai regolamenti doganali dei due Paesi.

Il Governo giapponese consente ed accorda alle navi italiane, per tutta la durata del presente Trattato, di portar carichi fra i porti aperti esistenti nell'Impero eccettuati quelli di Osaka, Niigata e Ebisu-minato. (686)

country with cargo destined for two or more ports in the dominions and possessions of His Royal Italian Majesty, and an Italian vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the Laws and Custom-house Regulations of the two countries.

The Japanese Government, however, agrees to allow Italian vessels to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata and Ebisuminato. (686)

ARTICOLO XII.

Qualunque nave di guerra o mercantile di una delle alte Parti contraenti costretta dal cattivo tempo o da qualunque altro infortunio a rifugiarsi nei porti dell'altra, potrà riparare le avarie, procurarsi le provviste necessarie e riprendere il mare, senza pagare altri diritti all'infuori di quelli che sarebbero pagati dalle navi nazionali.

ARTICLE XII.

Any ship of war or merchant vessel of either of the High Contracting Parties, which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than

Tuttavia, in caso che il padrone, o proprietario, o armatore d'un bastimento mercantile si travasse obbligato a vendere parte del carico per sopperire alle spese, dovrà sottomettersi ai regolamenti e tariffe del luogo nel quale sarà approdato.

Se una nave da guerra o mercantile di una delle Parti contraenti s'incagliasse, arenasse o naufragasse sulle coste dell'altra, le autorità locali ne daranno avviso al Console Generale, Console, Vice-Console o Agente Consolare del distretto ove è accaduto il sinistro ; e, se non esistesse colà alcun ufficiale consolare, ne doranno avviso al Console Generale, Console, Vice Console o Agente Consolare del distretto più vicino.

Le operazioni relative al salvataggio delle navi giapponesi naufragate, o gettate sulla costa, o incagliate nelle acque territoriali di Sua Maestà il Re d'Italia saranno conformi alle leggi, ordinanze e regolamenti dell'Italia, e reciprocamente tutti i provvedimenti del salvataggio relativi alle navi italiane naufragate o incagliate nelle acque territoriali di Sua Maestà l'Imperatore del Giappone avranno luogo conformemente alle leggi, ordinanze e regolamenti giapponesi.

Tali bastimenti o navi arenati o naufragati, ed ogni loro parte, i mobili

such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of the occurrence, or if there be no such Consular officer, they shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of His Royal Italian Majesty shall take place in accordance with the Laws, Ordinances and Regulations of Italy, and, reciprocally, all measures of salvage relative to Italian vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the Laws, Ordinances and Regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all

ed altre pertinenze, gli effetti e le merci salvati, compresi quelli che possano essere stati gettati in mare, e il loro prezzo se venduti, come pure le carte trovate a bordo di tali navi o bastimenti, saranno consegnati ai proprietari, padroni, armatori o ai loro agenti, quando siano da essi reclamati.

Se i proprietari od agenti non si trovano sul luogo, i detti oggetti saranno consegnati ai rispettivi Consoli-Genrali, Consoli, Vice-Consoli, Agenti Consolari, quando vengono da loro richiesti entro il termine stabilito dalle leggi del Paese; e tali ufficiali consolari, proprietari o agenti pagheranno solo le spese occorse per la conservazione di tali proprietà, quelle di salvataggio e qulle altre solite a pagarsi dai bastimenti nazionali nei casi di naufragio.

I beni e le mercanzie salvati dal naufragio saranno esenti da ogni diritto di dogana, a meno che non vengano venduti per il consumo, nel qual caso pagheranno i diritti consueti.

Quando una nave o bastimento appartenente a sudditi di una delle Parti contraenti si è incagliato od è naufragato sul territorio dell'altra, i rispettivi Consoli-Generali, Consoli, Vice-Consoli o Agenti Consolari, nel caso che il proprietario, armatore o altro loro agente non sia presente, saranno autorizzati a prestare la loro assis-

furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance

tenza ufficiale per la nsecesaria protezione ai sudditi degli stati rispettivi.

Lo stesso principio sarà applicato nel caso che, essendo presente il proprietario o armatore o altro agente, esso richieda tale assistenza. (686)

ARTICOLO XIII.

Per gli scopi del presente Trattato saranno considerate per rispetto alla nazionalità navi giapponesi o italiane tutte quelle che saranno riconosciute giapponesi, secondo le leggi giapponesi, o navi italiane secondo le leggi italiane. (688)

ARTICOLO XIV.

I Consoli-Generali, Consoli, Vice-Consoli ed Agenti Consolari di ciascuna delle parti contraenti negli Stati e possedimenti dell'altra riceveranno dalle autorità locali l'assistenza, che per legge potrà loro venire consentita per il ricupero dei disertori dalle navi dei paesi rispettivi.

Resta stabilito che questa disposizione non è applicabile ai sudditi del paese in cui la diserzione avviene. (688)

ARTICOLO XV.

Le Alte Parti contraenti convengono che per tutto ciò che riguarda il commercio e la navigazione, qualunque

in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (686)

ARTICLE XIII.

All vessels which, according to Japanese Law, are to be deemed Japanese vessels, and all vessels which, according to Italian Law, are to be deemed Italian vessels, shall, for the purposes of this Tteaty, be deemed Japanese and Italian vessels respectively. (688)

ARTICLE XIV.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place. (688)

ARTICLE XV.

The High Contracting Parties agree that in all that concerns commerce and navigation, any privilege, favour or

privilegio, favore o immunità, che una delle Parti contraenti accordi o possa in seguite accordare al Governo, nave, sudditi o cittadini di qualunque altro Stato sarà immediatamente e incondizionatamente esteso al governo, navi, sudditi e cittadini dell'altra Parte, essendo loro intenzione che il commercio e la navigazione dei due Stati siano per ogni riguardo regolati in base al trattamento della nazione più favorita. (688)

ARTICOLO XVI.

Ciascuna delle Alte Parti contraenti può nominare, Consoli-Generali, Consoli, Vice-Consoli e Agenti Consolari in tutti i porti, città e luoghi dell'altra, eccettuati quelli ove possa non convenire di riconoscere tali ufficiali.

Siffatta eccezione non potrà in ogni modo essere stabilita a sfavore di una delle Parti contraenti senza essere parimenti stabilita per tutte le altre Potenze.

I Consoli-Generali, Consoli, Vice-Consoli ed Agenti Consolari potranno esercitare tutte le funzioni e godere tutti i privilegi, esenzioni ed immunità, che siano, o vengano in seguito concessi, ai funzionari consolari della nazione più favorita. (688)

immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects or citizens of any other State, shall be extended immediately and unconditionally to the Government, ships, subjects or citizens of the other Contracting Party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favourd nation. (688)

ARTICLE XVI.

Each of the High Contracting Parties may appoint Consuls-General, Cousuls, Vice-Consuls, Pro-Consuls and Consular Agents in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This excepiton, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities which are, or may hereafter be, granted to Consular officers of the most favoured nation. (688)

ARTICOLO XVII.

I sudditi di ciascuna delle Alte Parti contraenti avranno negli Stati e possedimenti dell'altra la medesima protezione dei nazionali per ciò che concerne i breveti, le marchè di fabbrica, i disegni e modelli, purché compiano le formalità prescrritte dalla legge. (689)

ARTICOLO XVIII.

Il Governo di Sua Maestà il Re d'Italia per quanto lo riguarda con sente al seguente accordo :

I diversi stabilimenti stranieri nel Giappone saranno incorporati nei rispettivi comuni giapponesi e formeranno quindi parte del sistema municipale, in genere, del Giappone.

Le autorità giapponesi competenti assumeranno rispetto a detti stabilimenti tutti i doveri ed obblighi municipali e nel tempo stesso, ove essi posseggano in comune fondi o proprietà, questé passeranno alle dette autorità giapponesi.

Quando avverrà tale incoporazione le esistenti enfiteusi in perpetuo, in forza delle quali è ora regolata la proprietà negli stabilimenti predetti, saranno cofermati e non potranno essere imposte altre condzioni a riguardo di tale proprietà all'infuori di quelle stabilite dai patti e concessioni in vigore.

Resta inteso tuttavia che le autorità

ARTICLE XVII.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law. (689)

ARTICLE XVIII.

His Royal Italian Majesty's Government, so far as they are concerned, give their consent to the following arrangement :—

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settelements, shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place, the existing leases in perpetuity under which property is now held in the said Settelements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, under-

consolari in essi nominate saranno in tutti i casi surrogate dalle autorità giapponesi.

I terreni che siano in precedenza stati accordati dal Governo Giapponese a detti stabilimenti gratuitamente a scopo pubblico, saranno, salvo il diritto perminente, mantenuti sempre esenti da qualunque tassa a o peso per il pubblico uso al quale furono riservati. (689)

ARTICOLO XIX.

Il presente Trattato surrogherà dal giorno in cui andrà in vigore il trattato del sedicesimo giorno del settimo mese del secondo anno di Keiou, corrispondente al Venticinque Agosto 1866 e la convenzione addizionale della stessa data e gli accordi e stipulazioni sussidiarie esistenti fra le Alte Parti contraenti ; e dallo stesso giorno il detto trattato, convenzione, accordi e stipulazioni sussidiarie cesseranno di aver vigore e cesserà per conseguenza la giurisdizione fino a quel momento esercitata dai tribunali italiani in Giappone e tutti i privilegi eccezionali, essenzioni e immunità godute dai sudditi italiani, come attincuti a tale giurisdizione, cesseranno assolutamente senza avviso, e, in seguito tale guirisdi-

stood that the Consular authorities mentioned in the same are in all cases to be replaced by tbe Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settelements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes, for which they were originally set apart. (689)

ARTICLE XIX.

The present Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Amity and Commerce of the sixteenth day of the seventh month of the second year of Keiou, corresponding to the twenty-fifth day of August, one thousand eight hundred sixty-six, and the additional Convention of the same date, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties ; and from the same date such Treaty, Convention, Arrangements and Agreements shall cease to be binding, and in consequence, the jurisdiction then exercised by Italian Courts in Japan, and all the exceptional privileges, exemptions and immunities then en-

zione sarà assunta ed esercitata dai tribunale giapponesi. (690)

ARTICOLO XX.

Il presente trattato non entrerà in vigore che al sedicesimo giorno del Settimo mese del trentaduesimo anno di Meegi, cioè il 16 Luglio 1899. Esso avrà effetto un anno dopo che il Governo di Sua Maestà l'Imperatore del Giappone avrà notificato al Governo di Sua Maestà il Re d'Italia il suo desiderio di vederlo posto in esecuzione.

Detta notificazione potrà essere fatta in qualunque momento dopo il 16 Luglio 1898, cioè dopo il sedicesimo giorno del settimo mese del trentunesimo anno di Meegi.

Il Trattato rimarrà in vigore per un periodo di dodici anni dal giorno in cui andrà in effetto.

Ognuna delle Alte Parte contraenti avrà il diritto di notificare all'altra la sua intenzione di porvi fine dopo che saranno trascorsi undici anni dalla sua data e, allo spirare d'un anno dopo avvenuta la notificazione, il Trattato cesserà di avere effetto. (690)

joyed by Italian subjects as a part of, or appurtenant to, such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts. (690)

ARTICLE XX.

The present Treaty shall not take effect until the sixteenth day of the seventh month of the thirty-second year of Meiji, the sixteenth day of July, one thousand eight hundred ninety-nine. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to His Royal Italian Majesty's Government of its wish to have the same brought into operation. Such notice may be given at any time after the sixteenth day of the seventh month of the thiry-first year of Meiji, the sixteenth July, one thousand eight hundred ninety-eight. The Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is

given this Treaty shall wholly cease and determine. (690)

ARTICOLO XXI.

Il presente Trattato è redatto in sei esemplari cioè due in lingua giapponese, due in lingua italiana, due in lingua inglese ; ed in caso di contestazione la versione inglese sara considerata come il testo originale del trattato. (691)

ARTICLE XXI.

The present Treaty is written in six copies, viz, two in the Japanese, two in the Italian and two in the English language, and in case of dispute, the English text shall be considered as the original one. (691)

ARTICOLO XXII.

Il presente Trattato sarà ratificato, e le ratifiche saranno scambiate a Tokio al più presto possible e in ogni caso non più tardi di sei mesi dalla data del medesimo. (991)

In fede di che i Plenipotenziari rispettivi l'hanno firmato e vi hanno apposto i loro sigilli.

Fatto a Roma addi 1° Dicembre 1894.

(L. S.) TAKAHIRA KOGORO.
(L. S.) BLANC.

ARTICLE XXII,

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Tokio as soon as possible, and not later than six months from the present date. (691)

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Rome, this first day of the twelveth month of the twenty-seventh year of Meiji.

(L. S.) TAKAHIRA KOGORO.
(L. S.) A. BLANC.

PROTOCOLLO

Il Governo di Sua Maestà l'Imperatore del Giappone e il Governo di Sua Maestà il Re d'Italia ravvisando opportuno nell'interesse di entrambi i

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government of His Majesty the King of Italy, deeming it advisable in the interests of

paesi di regolare alcune questioni speciali di mutuo vantaggio, sparatamente dal Trattato di Commercio e Navigazione, firmato in questo giorno si sono accordati per mezzo dei loro rispettivi Plenipotenziari nelle seguenti stipulazioni :

I. Si conviene fra le parti contraenti che un mese dopo lo scambio delle ratifiche del Trattato di commercio e navigazione firmato oggi, la tariffa d'importazione presentemente in vigore nel Giappone per i prodotti importati nell'Impero dai sudditi di Sna Maestà il Re d'Italia cesserà di avere effetto.

Nella stessa data la tariffa generale giapponese, stabilita per legge, e che avrá vigore al momento, sarà applicata ai detti prodotti dell'industria e del suolo, subordinatamente all'articolo XIX del Trattato del 1866, attualmente in vigore fra i due Paesi, per tutto il tempo della sua durata, e poscia subordinatamente alle disposizioni degli articoli V, XV del Trattato firmato oggi.

Rimane però inteso, che qualora in pratica il regime della nazione più favorita, stipulato dal Trattato e dal Protocollo firmati oggi, per ciò che concerne i dazi doganali, venisse giudicato meno conveniente, i due Governi si accoderanno per sostituirvi una tariffa convenzionale per quei prodotti

both Countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations :

1.—It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by the subjects of His Majesty the King of Italy shall cease to be binding. From the same date, the General Statutory Tariff of Japan for the time being in force shall, subject to the provisions of Article XIX. of the Treaty of one thousand eight hundred sixty-six at present subsisting between the Contracting Parties as long as the said Treaty remains in force, and thereafter subject to the provisions of Articles V. and XV. of the Treaty signed this day, be applicable to the goods and merchandize being the growth, produce or manufacture of the dominions and possessions of His Royal Italian Majesty, upon importation into Japan. But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to

alla esportazione dei quali essi sono specialmente interessati.

Ma nulla di ciè che è contenuto nel presente Protocollo potrá limitare o derogare il diritto del Governo Giapponese di proibire o restringere l'importazione di droghe, medicine, cibi e bevande adulterate, di libri, stampe, litografie, carte, dipinti, incisioni, fotografie od altri oggetti osceni ed indecenti, o di altri che violino le leggi esistenti nel Giappone in materia di brevetti, marche di fabbrica, o proprietà letteraria, o qualunque altro oggetto che, per ragioni sanitarie, di pubblica sicurezza, o di moralità, possa essere in qnalche modo pericoloso.

In tutti gli altri riguardi le disposizioni del Trattato e convenzione esistenti continueranno ad aver vigore incondizionatamente fino al giorno in cui entri in effetto il Trattato di commercio e navigazione oggi firmato. (691)

II. Il Governo giapponese, mentre il Giappone si verrà aprendo ai sudditi italiani, consente ad estendere l'attuale sistema di passaporti in modo che i sudditi italiani, presentando un certificato di raccomandazione del

restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs or any other indecent or obscene articles; articles in violation of patent, trade-mark or copy-right laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

It is, however, understood that in the event the application of the most favoured nation principles regarding customs duties, which are guaranteed by the Treaty signed this day as well as by this Protocol, should be found unsatisfactory in actual practice, the two Government will agree to substitute Conventional Tariffs in respect of those articles, in the export of which they are each especially interested.

In all other respects the stipulations of the existing Treaty and Convention shall be maintained unconditionally until the time when the Treaty of Commerce and Navigation signed this day comes into force. (691)

2.—The Japanese Government, pending the opening of the country to Italian subjects, agrees to extend the existing passport system in such a manner as to allow Italian subjects, on the production of a certificate of

Rappresentante italiano a Tokio, o di qualunque Console italiano nei porti aperti del giappone, possano, a semplice loro richiesta, ottenere dal Ministero degli Affari Esteri in Tokio, o dalla autorità superiore della Prefettura in cui è situato il porto aperto, passaporti validi per qualunque parte del paese, e per qualunque periodo di tempo, non eccedente i dodici mesi; restando inteso che continuano ad essere in vigore le norme e regolamenti ora esistenti per i sudditi italiani che visitano l'interno dell'Impero. (692)

III. Il Governo Giapponese, prima della cessazione della giurisdizione consolare italiana nel Giappone, si obbliga di fare adesione alle Convenzioni internazionali per la protezione della proprietà industriale e letteraria.

IV. Il presente Protocollo è redatto in sei esemplari due in lingua giapponese, due in lingua italiana, due in lingua inglese, rimanendo stabilito che in caso di contestazione la versione inglese sarà considerata come testo originale.

V. I Plenipotenziari sottoscritti convengono che questo Protocollo sarà sottoposto alle due Alte Parti contraenti, contemporaneamente al Trattato di Commercio e Navigazione firmato oggi, e quando il detto Trattato sarà ratificato si considereranno approvate

recommendation from the Italian Representative in Tokio, or from any of His Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the chief authorities in the Prefecture in which an open port is situated; it being understood that the existing Rules and Regulations governing Italian subjects who visit the interior of the Empire are to be maintained. (692)

3.—The Japanese Government undertakes, before the cessation of Italian Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial property and Copyright. (692)

4.—The present Protocol is written in six copies, viz, two in the Japanese, two in the Italian and two in the English language, and in case of dispute, the English text shall be considered as the original one. (693)

5.—The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified, the

auche le dispozioni contenute nel Protocollo, senza la necessità di altra formale ratifica. (693)

Si conviene auche che il Presente Protocollo cesserà di aver vigore simultaneamente al Trattato.

In fede di che i Plenipotenziari rispettivi l'hanno firmato e vi hanno apposto i loro sigilli.

Roma addi 1 Dicembre 1894.

(L. S.) TAKAHIRA KOGORO.
(L. S.) BLANC.

agreements contained in the Protcol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding. (693)

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Rome, this first day of the twelfth month of the twenty-seventh year of Meiji.

(L. S.) TAKAHIRA KOGORO
(L. S.) A. BLANC.

Note.—In order to avoid any misunderstanding, Paragraph two, Article one of this Protocol referred to in the Notes exchanged this day, must be considered that one beginning with the words "It is, however, understood" and ending with the words "especially interested."

Tokio, le 1er Décembre 1905.

Monsieur le Ministre,

J'ai l'honneur de m'adresser à Votre Excellence en demandant au Gouvernement Impérial Japonais, de la part du Gouvernement de Sa Majesté le Roi d'Italie, que les notes échangées à Rome le 1er Décembre 1894 entre Leurs Excellences le Baron Blanc et Monsieur Takahira en occasion de la signature du Traité de Commerce et Navigation entre l'Italie et le Japon actuellement en vigueur et relatives à la Stipulation eventuelle d'un tarif conventionnel

entre les deux pays, soient considérées pour l'avenir par les deux Gouvernement à portir de ce jour, dénuées de toute validité. Dans le cas que le Gouvernement Impérial Japonais accède à cette demande, il reste entendu que, ainsi qu'il est d'ailleurs garanti par le traité de commerce et de navigation existant entre le Japon et l'Italie, les marchandises italiennes et japonaises jouiront d'or en avant respectivement au Japon et en Italie du traitement de la nation la plus favorisée aussi longtemps que le dit traité sera en vigueur.

Veuillez agréer, Monsieur le Ministre, les assurances de ma très haute considération.

(Signé) G. C. VINCI.

Son Excellence
le Comte KATSURA,
Président du Conseil et Ministre
des Affaires Etrangères ad int.

Roma 10 Dicembre 1894.

Signor Ministro.

In relazione col par. 2 dell'art. 1° del protocollo firmato oggi dall'Italia e dal Giappone concernente l'eventualità di dover sostituire, per alcune voci di rispettivo speciale inreresse, una tariffa convenzionale al regime della clausola della nazione più favorita, il Governo italiano domanda che rimanga inteso, che la proposta di sostuire, per dette voci la tariffa convenzionale al regime della clausola della nazione più fovorita, possa esser fatta dalla parte interessta in qualunque momento dal giorno in cui il protocollo sarà entrato in vigore; e che se trascorsi 6 mesi dal giomo in cui, fatta la tariffa convenzionale non fosse stata conchiusa, tanto per le importazioni Italiane in Giappone quanto per le importazioni Giapponesi in Italia si applicherano i dazi fissati dalle rispettive

Rome, December 1, 1894.

Monsieur le Ministre,

With reference to the Paragraph 2, Article 1 of the Protocol, signed this day between Italy and Japan, relative to the eventuality of the substitution, in regard to articles of especial interest to the respective countries, of a Conventional Tariff to the principle of the most favoured nation, the Italian Government request it to be understood that the proposal for the substitution in respect of the said articles of a Conventional Tariff to the most favoured nation principle, may be made by the interested party, at any time after the Protocol has gone into operation, and that in the event no Conventional Tariff could have been concluded within six months after such proposal has been made, the customs duties on Italian articles imported into Japan and on Japanese articles

tariffe generali rimanendo a questo riguardo sospeso il regime della nazione più favorita, fintanto chè non sarà stata conchiusa la tariffa convenzionale.

Gradisca, Signor Ministro, gli atti della mia alta considerazione.

(Signé) BLANC.

Illmo
Sig. TAKAHIRA KOGORO
Inviato Straordinario e Ministro
Plenipotenziario di S. M.
l'Imperatore del Giappone,
Roma.

imported into Italy, may be levied according to the respective general Tariff and the most favoured nation principle in this respect may be suspended, until the Conventional Tariff has been agreed upon.

I have the honor, &c., &c.

(Signed) A. BLANC.

His Excellency
TAKAHIRA KOGORO,
Envoy Extraordinary and
Minister Plenipotentiary of
His Majesty the Emperor of
Japan.

Japanese Legation,
Rome, December 1, 1894.

Monsieur le Ministre :

In reply to the note of His Royal Italian Majesty's Government relative to the eventuality of the substitution of Conventional Tariff in case the application of the most favoured nation principle regarding the custom duties should be found unsatisfactory in respect of those articles in the export of which each country is especially interested, the Government of Japan hereby give the assurance that the substitution of Conventional Tariff referred to can be proposed at any time after the Protocol has gone into operation, and that in the event a Conventional Tariff could not have been concluded within six month after such proposal has been made, the custom duties on articles imported from one country into the other may be levied according to the general Tariff for the time being in force, and the application of the most favoured nation principle in this respect shall be suspended until the Conventional Tariff has been agreed upon.

I avail myself, &c., &c.

(Signed) TAKAHIRA.

His Excellency
Baron BLANC,
Minister for Foreign Affairs
of His Majesty the King of Italy.

PROTOCOL.

Signé à Tokio, le 26e jour du 6e mois de la 32e année de Meiji (1899); *Promulgué le 7e jour du 7e mois de la 32e année de Meiji* (1899).

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majésté le Roi d'Italie, considérant qu'il est désirable dans l'intérêt de la bonne administration de la justice, qu'un accord soit établi au sujet de la juridiction par rapport aux causes pendantes devant les tribunaux italiens au Japon au moment où le Traité de Commerce et de Navigation conclu entre le Japon et l'Italie le 1er jour du 12e mois de la 27e année de Meiji, entrera en vigueur, sont convenus de ce qui suit .

La juridiction des tribuinaux italiens au Japon, à l'égard des causes et procédures, tout civiles que criminelles, qui seraient pendantes devant lesdits tribunaux au moment de l'entrée au vigueur dudit Traité de Commerce et de Navigation, continuera à être exercée jusqu'à décision finale et définitive.

En foi de quoi, les soussignés Ministre des Affaires Etrangères de Sa Majesté l'Empereur du Japon et Envoyé Extraordinaire et Ministre Plenipotentiaire de Sa Majesté le Roi d'Italie au Japon dûment autorisés à cet effet, ont signé le présent Protocole et y ont apposé leurs cachets.

Fait à Tokio en double expédition le 26e jour du 6e mois de la 32e année de Meiji.

(L. S.) Vicomte AOKI. (L. S.) Comte ORFINI.

MEXIQUE.

TRATADO DE AMISTAD Y COMERCIO.

Firmado en Washington el dia 30° *del mes* 11° *del año* 21° *de Meiji* (1888); *ratificado el dia* 29° *del mes* 1° *del año* 22° *de Meiji* (1889); *ratificaciones cangeadas en Washington el dia* 6° *del mes* 6° *del año* 22° *de Meiji* (1889); *y promulgado el dia* 17° *del mes* 7° *del año* 22° *de Meiji* (1889).

Su Majestad el Emperador del Japón, y el Presidente de los Estados Unidos Mexicanos, estando igualmente animados del deseo de establecer sobre bases sólidas y duraderas, relaciones de amistad y comercio entre sus respectivos países, súbditos y ciudadanos, han resuelto celebrar un tratado de amistad y comercio, y han nombrado con ese objeto, sus Plenipotenciarios, á saber:

Su Majestad el Emperador del Japón, á Jushii Munemitsu Mutsu, Caballero de la Órden del Sol Naciente, y de tercera clase de Mérito y su Enviado Extraordinario y Ministro Plenipotenciario cerca del Gobierno de los Estados Unidos de América, y

El Presidente de los Estados Unidos Mexicanos á Matias Romero, Enviado Extraordinario y Ministro Plenipoten-

TREATY OF AMITY AND COMMERCE.

Signed at Washington, 30*th day of* 11*th month,* 21*st year of Meiji* (1888); *Ratified* 29*th day of* 1*st month,* 22*nd year of Meiji* (1889); *Ratifications exchanged at Washington,* 6*th day of* 6*th month,* 22*nd year of Meiji* (1889); *Promulgated* 17*th day of* 7*th month,* 22*nd year of Meiji* (1889).

His Majesty the Emperor of Japan and the President of the United Mexican States, being equally animated by a desire to establish upon a firm and lasting foundation relations of friendship and commerce between their respective States, and subjects and citizens, have resolved to conclude a Treaty of Amity and Commerce, and have for that purpose named their respective Plenipotentiaries, that is to say:—

His Majesty the Emperor of Japan, Munemitsu Mutsu, Jushii, of the Order of the Rising Sun and of the Third Class of Merit, and His Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of America; and the President of the United Mexican States, Matias Romero, Envoy Extraordinary

ciario de los Estados Unidos Mexicanos en Wáshington.

Quienes después de haberse mostrado sus respectivos plenos poderes y encontrándolos en buena y debida, forma, han convenido en los siguientes artículos :

ARTÍCULO I.

Habrá firme y perpetua paz y amistad entre el Imperio del Japón y los Estados Unidos Mexicanos, y entre sus respectivos súbditos y ciudadanos. (697)

ARTÍCULO II.

Su Majestad el Emperador del Japón puede, si lo juzga conveniente, acreditar un Agente diplomático cerca del Gobierno de los Estados Unidos Mexicanos, y del mismo modo puede el Gobierno de los Estados Unidos Mexicanos, si lo tiene á bien, acreditar un Agente diplomático cerca de la Corte de Tokio ; y cada una de las Partes Contratantes tendrá el derecho de nombrar Cónsules Generales, Cónsules, Vice-Cónsules, y Agentes Consulares, para la conveniencia del comercio, los cuales podrán residir en todos los puertos y lugares dentro del territorio de la otra Parte Contratante donde se permita residir á empleados consulares semejantes de la Nación más favorecida ; pero ántes de que cualquier Cónsul

and Minister Plenipotentiary of the United Mexican States in Washington ; who, having communicated to each other their respective Full Powers and found them in good and due form, have agreed upon the following Articles :—

ACTICLE I.

There shall be firm and perpetual peace and amity between the Empire of Japan and the United Mexican States, and their respective subjects and citizens. (697)

ARTICLE II.

His Majesty the Emperor of Japan may, if He see fit, accredit a Diplomatic Agent to the Government of the United Mexican States ; and in like manner, the Government of the United Mexican States may, if it think proper, accredit a Diplomatic Agent to the Court of Tokio ; and each of the Contracting Parties shall have the right to appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents, for the convenience of trade, to reside in all the ports and places within the territories of the other Contracting Party, where similar Consular Officers of the most favored nation are permitted to reside ; but before any Consul-General, Consul, Vice-Consul or Consular Agent shall act as such, he

General, Cónsul, Vice-Cónsul, ó Agente Consular pueda funcionar como tal, tendrá que ser aprobado y admitido con ese carácter, en la manera usual, por el Gobierno del país á donde haya sido enviado. Los empleados diplomáticos y consulares de cada una de las dos Partes Contratantes gozarán, sujetos á las estipulaciones de este tratado, en el territorio de la otra, de los mismos derechos, privilegios, exenciones, ó inmunidades de que gocen ó gozaren los empleados de igual categoría de la Nación más favorecida. (697)

shall, in the usual form, be approved and admitted by the Government to which he is sent.

The Diplomatic and Consular Officers of each of the two Contracting Parties shall, subject to the stipulations of this Treaty, enjoy in the territories of the other whatever rights, privileges, exemptions and immunities, which are, or shall be, granted there to officers of corresponding rank of the most favored nation. (697)

ARTÍCULO III.

Habrá recíproca libertad de comercio y navegación entre el territorio y posesiones de las dos Partes Contratantes. Sus respectivos súbditos y ciudadanos tendrán libertad y seguridad para ir con sus buques y cargamentos, á todos los lugares y puertos dentro del territorio y posesiones de la otra, que esten abiertos á los súbditos ó ciudadanos de la Nación más favorecida; podrán permanecer y residir en todos los lugares ó puertos en donde es permita permanecer y residir á los súbditos y ciudadanos de la Nación más favorecida, y podrán alquilar y ocupar casas y almacenes, en los que podrán vender, por mayor ó menor,

ARTICLE III.

There shall be between the Territories and Possessions of the two Contracting Parties reciprocal freedom of commerce and navigation. The subjects and citizens, respectively, of each of the Contracting Parties shall have the right to come freely and securely with their ships and cargoes to all places and ports in the Territories and Possessions of the other, where subjects or citizens of the most favored nation are permitted so to come; they may remain and reside at all the places or ports where subjects or citizens of the most favored nation are permitted to remain and reside, and they may there hire and occupy houses and

toda clase de productos, manufacturas ó mercancías del comercio legal. (698)

ARTÍCULO IV.

Su Majestad el Emperador del Japón, en consideración de las varias estipulaciones contenidas en este tratado, concede por el presente á los ciudadanos mexicanos que vayan al Japón, aparte y además de los privilegios concedidos á los mismos ciudadanos en el precedente artículo de este tratado el privilegio de entrar, permanecer y residir en todo el territorio y posesiones del Imperio, de alquilar y ocupar casas y almacenes en el mismo; de traficar por mayor y por menor, en toda clase de productos, manufacturas y mercancías del comercio legal, y finalmente de emprender y proseguir todas las otras ocupaciones legales. (698)

ARTÍCULO V.

Las dos Partes Contratantes convienen por el presente, en que los favores, privilegios ó inmunidades relativos á comercio, navegación, viaje y residencia dentro de su territorio ó posesiones, que cualquiera de las Partes Contratantes tenga concedidos, ó concediere en lo sucesivo, á los súbditos y ciudadanos de cualquier otro

warehouses, and may there trade by wholesale or retail in all kinds of products, manufactures and merchandise of lawful commerce. (698)

ARTICLE IV.

His Majesty the Emperor of Japan, in consideration of the several stipulations contained in this Treaty, hereby grants to Mexican citizens resorting to Japan, apart from and in addition to the privileges extended to such citizens by the last preceding Article of this Treaty, the privilege of coming, remaining and residing in all parts of His Territories and Possessions; of there hiring and occupying houses and warehouses; of there trading by wholesale or retail in all kinds of products, manufactures and merchandise of lawful commerce; and, finally, of there engaging in and pursuing all other lawful occupations. (698)

ARTICLE V.

The two Contracting Parties hereby agree that any favor, privilege or immunity whatever in matters relating to commerce, navigation, travel through or residence in their Territories or Possessions which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State, shall be

Estado, serán concedidos igualmente á los súbditos ó ciudadanos de la otra Parte Contratante, gratuitamente, si la concesión á favor de ese otro Estado, hubiere sido gratuita, ó bajo las mismas ó equivalentes condiciones, si la concesión hubiere sido condicional. (698)

extended to the subjects or citizens of the other Contracting Party, gratuitously, if the concession in favor of that other State shall have been gratuitous; and on the same or equivalent conditions, if the concession shall have been conditional. (698)

ARTÍCULO VI.

No se impondrán otros ni más altos derechos ni recargos por toneladas, faro, bahia, practicaje, cuarentena, salvamento en caso de averia, ni otros impuestos locales, en ninguno de los puertos de los Estados Unidos Mexicanos á los buques del Japón, ni en ninguno de los puertos del Japón á los buques de los Estados Unidos Mexicanos, que los que paguen ó tengan en lo sucesivo que pagar, en iguales casos, en los mismos puertos, los buques de la Nación más favorecida. (699)

ARTICLE VI.

No other or higher duties or charges on account of tonnage, light or harbor dues, pilotage, quarantine, salvage in case of damage, or any other local charges, shall be imposed in any of the ports of Japan on vessels of the United Mexican States, or in any of the ports of the United Mexican States on vessels of Japan, than are, or may hereafter be, payable in like cases in the same ports on vessels of the most favored nation. (699)

ARTÍCULO VII.

No se impondrán otros ni más altos derechos de importación, en los Estados Unidos Mexicanos, á los efectos nacidos, producidos ó fabricados en el Japón, y recíprocamente no se impondrán otros ni más altos derechos en el Japón, á los efectos nacidos, producidos ó fabricados en los Estados Unidos Mexicanos, que los que paguen

ARTICLE VII.

No other or higher duties shall be imposed on the importation into Japan of any article, the growth, product or manufacture of the United Mexican States; and, reciprocally, no other or higher duties shall be imposed on the importation into the United Mexican States of any article, the growth, product or manufacture of Japan, than

ó pagaren iguales efectos nacidos, producidos ó fabricados en cualquier otro país extrangero. No se impondrán tampoco en el territorio ó posesiones de cualquiera de las dos Partes Contratantes, otros ni más altos derechos ó recargos sobre la exportación de cualquier artículo para el territorio ó posesiones de la otra, que los que paguen ó pagaren iguales efectos, al exportarse para cualquier otro país extrangero. No se establecerá prohibición alguna para la importación de cualquier efecto nacido, producido ó fabricado en el territorio de una de las dos Partes Contratantes, en el territorio ó posesiones de la otra, que no se haga extensiva igualmente al efecto de la misma clase nacido, producido ó fabricado en cualquier otro país extrangero, ni se establecerá ninguna prohibición para la exprotación de cualquier efecto del territorio de una de las Partes Contratantes al territorio y posesiones de la otra, que no se haga extensiva igualmente á la exportación del mismo efecto para los territorios de todas las demás naciones. (699)

ARTÍCULO VIII.

Los ciudadanos de los Estados Unidos Mexicanos ó los buques Mexicanos, que vayan al Japón, ó á sus aguas territoriales, quedarán sujetos,

are, or shall be, payable on the importation of the like article being the growth, product or manufacture of any other foreign country.

Nor shall any other or higher duties or charges be imposed in the Territories or Possessions of either of the two Contracting Parties on the exportation of any article to the Territories or Possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country. No prohibition shall be imposed on the importation of any article, the growth, product or manufacture of the Territories of either of the Contracting Parties into the Territories or Possessions of the other, which shall not equally extend to the like article being the growth, product or manufacture of any other country. Nor shall any prohibition be imposed on the exportation of any article from the Territories of either of the Contracting Parties to the Territories or Possessions of the other, which shall not equally extend to the exportation of the like article to the territories of all other nations. (699)

ARTICLE VIII.

Citizens of the United Mexican States, as well as Mexican vessels resorting to Japan, or to the territorial waters thereof, shall, so long as they

miéntras permanezcan allí, á las leyes del Japón y á la jurisdicción de los tribunales de su Majestad Imperial, y los súbditos japoneses lo mismo que los buques japoneses que vayan á México ó á las aguas territoriales de dicha nación quedarán miéntras permanezcan allí, sujetos á las leyes de los Estados Unidos Mexicanos y á la jurisdicción de los tribunales mexicanos. (699)

there remain, be subject to the laws of Japan and to the jurisdiction of His Imperial Majesty's Courts; and, in the same manner, His Imperial Majesty's subjects and Japanese vessels resorting to Mexico and to the territorial waters of Mexico shall be subject to the laws and jurisdiction of Mexico. (699)

ARTÍCULO IX.

El presente tratado se pondrá en ejecución tan luego como se cangeen sus ratificaciones, y subsistirá en vigor hasta seis meses después de que alguna de las Partes Contratantes avise á la otra su intención de abrogarlo. (700)

ARTICLE IX.

The present Treaty shall go into opertion immediately after the exchange of ratifications, and shall continue in force until the expiration of six months after either of the Contracting Parties shall have given notice to the other of its intention to terminate the same, and no longer. (700)

ARTÍCULO X.

El presente tratado se firmará por duplicado en cada una de las lenguas japonesa, española, é inglesa y en caso de que llegare á encontrarse alguna discrepancia entre los textos japonés y español, se decidirá esta por los términos del texto inglés, el cual se considirá obligatorio para los dos Gobiernos. (700)

ARTICLE X.

The present Treaty shall be signed in duplicate in each of the Japanese, Spanish and English languages, and in case there should be found any discrepancy between the Japanese and Spanish texts, it will be decided in conformity with the English text, which is binding upon both Governments. (700)

ARTÍCULO XI.

El presente tratado será ratificado

ARTICLE XI.

The present Treaty shall be ratified

por las dos Partes Contratantes y sus ratificaciones se cangearán en Wáshington, tan pronto como sea posible. (700)

En fé de lo cual los respectivos Plenipotenciarios han firmado este tratado adhiriéndole sus respectivos sellos.

Hecho por sextuplicado en Wáshington el dia trigésimo, del mes undécimo, del año vigésimo primero de Meiji, que corresponde al dia terinta de Noviembre del año de mil ochocientos ochenta y ocho.

(L. S.) MUNEMITSU MUTSU.
(L. S.) M. ROMERO.

by the two Contracting Parties, and the ratificasions shall be exchanged at Washington as soon as possible. (700)

In witness whereof, the respective Plenipotentiaries have signed this Treaty, and hereunto affixed their respective seals.

Done in sextuplicate at Washington this thirtieth day of the eleventh month of the twenty-first year of Meiji, corresponding to the 30th day of November of the year one thousand eight hundred and eighty-eight.

(L. S.) MUNEMITSU MUTSU.
(L. S.) M. ROMERO.

NORVÈGE.*

Tokyo, le 6 Janvier 1906.

Monsieur le Baron,

Une des conséquences directes de la dissolution de l'Union entre la Norvège et la Suède est la cessation de toute communauté entre les deux Etats en ce qui concerne les conventions et arrangements internationaux conclus en commun par eux avec un ou plusieurs autres Etats. Si ces conventions et arrangements pouvaient être jusqu'ici considérés comme entraînant pour la Norvège et pour la Suède une responsabilité commune vis à vis des obligations qui en résultent pour chacun d'entre eux, le Gouvernement Norvégien se tient donc dès à présent responsable seulement des obligations des dits conventions et arrangements communs qui concernent la Norvège. Il en est de même relativement aux conventions internationales auxquelles la Norvège et la Suède ont adheré en commun. Pour ce qui est des conventions et arrangements conclus pendant l'Union séparément par la Suède ou auxquels la Suède a adhéré, le Gouvernement Norvégien pense qu'il ne pourra être considéré responsable de l'accomplissement des obligations qui en découlent pour la Suède.

De l'autre côté, le Gouvernement Norvégien est d'avis que tous les conventions et arrangements internationaux conclus par la Norvège avec un ou plusieurs autres Etats, soit en commun avec la Suède soit séparément soit comme partie adhérente, continuent à sortir leurs effets comme par le passé entre la Norvège et la ou les autres parties contractantes sans que la dissolution de l'Union en modifie les dispositions.

Le Gouvernement Norvégien se réserve toutefois de faire, aprés une étude plus approfondie, une communication ultérieure quant à la question de savoir si et dans quelle mesure il y aura lieu de procéder à une révision des textes des traités en vigueur entre la Norvège et le Japon.

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*Voir la Suède.

En portant, d'ordre de mon Gouvernement, ce qui précède à la connaissance de Votre Excellence, je profite de l'occasion pour Lui offrir les assurances de ma plus haute considération. (701)

Signé : ANKER.

Son Excellence
Monsieur le Baron KOMURA JUTARO
Ministre des Affaires Etrangères
etc. etc. etc.

PAYS-BAS.

TREATY OF COMMERCE AND NAVIGATION.

Signed at the Hague, 8th day of 9th month, 29th year of Meiji (1896); *Ratified 17th day of 6th month,* (1897); *Ratifications exchanged at Tokio, 20th day of 8th month, 30th year of Meiji* (1897); *and Promulgated 15th day of 9th month, 30th year of Meiji* (1897).

His Majesty the Emperor of Japan and Her Majesty the Queen of the Netherlands and in Her name Her Majesty the Queen-Regent of the Kingdom, being equally desirous of maintaining the relations of good understanding which happily exist between Them, by extending and increasing the intercourse between Their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan,

Akabane Shiro, Shogoi, Fifth Class of the Imperial Order of the Sacred Treasure, His Majesty's Minister Resident at the Court of Her Majesty the Queen of the Netherlands;

And Her Majesty the Queen of the Netherlands and in Her name Her Majesty the Queen Regent of the Kingdom,

Jonkheer J. Röell, Knight of the Royal Order of the Netherland Lion, Minister of Foreign Affairs, Ph. W. van der Sleyden, Minister of Waterstaat, Commerce and Industry, J. P. Sprenger van Eyk, Knight of the Royal Order of the Netherland Lion, Minister of Finance, J. H. Bergsma, Commander of the Royal Order of the Netherland Lion, Minister for the Colonies, and W. van der Kaay, Knight of the Royal Order of the Netherland Lion, Minister of Justice;

Who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel or reside in any part of the dominions and possessions of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free aud easy access to the Courts of Justice in pursuit and defence of their rights, and they shall be at liberty equally with native subjects, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort in any manner whatsoever, which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the dominions and possessions of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured foreign nation.

The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other entire liberty of conscience, and, subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured foreign nation.

The subjects of either of the Contracting Parties residing in the dominions and possessions of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions. (703)

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties.

The subjects of each of the High Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures and merchandise of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native subjects ; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises, which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the dominions and possessions of the other, which are, or may be, opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured foreign nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public corporations or functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured foreign nation.

It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the special laws, ordinances and regulations with regard to trade, police security in force or which may hereafter be enacted in each of the two countries and applicable to all foreigners in general. (704)

ARTICLE III.

The dwellings, manafactories, warehouses and shops of the subjects of each of the High Contracting Parties in the dominions and possessions of the other, and all pemises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects of the country. (705)

ARTICLE IV.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Majesty the Queen of the Netherlands of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Majesty the Queen of the Netherlands, from whatever place arriving, than on the like article produced or manufactured in any other foreign country, nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other foreign country.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (705)

ARTICLE V.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country. (706)

ARTICLE VI.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities and drawbacks. (706)

ARTICLE VII.

All articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Netherland vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels, and, reciprocally, all articles which are, or may be, legally imported into the ports of the dominions and possessions of Her Majesty the Queen of the Netherlands in Netherland vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Netherland vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese or in Netherland vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power. (706)

ARTICLE VIII.

No duties of tonnage, harbour, pilotage, light-house, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public corporations, functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other county, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured foreign nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination. (707)

ARTICLE IX.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (708)

ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of the Netherlands, respectively. It is, however, understood that Japanese subjects in the dominions and possessions of Her Majesty the Queen of the Netherlands, and Netherland subjects in the dominions and possessions of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the subjects or citizens of any other foreign country.

A Japanese vessels laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Majesty the Queen of the Netherlands, and a Netherland vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and custom-house regulations of the two countries.

The Japanese Government, however, agree to allow Netherland vessels to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata and Ebisuminato. (708)

ARTICLE XI.

Any ship-of-war or merchant-vessel of either of the High Contracting Parties

which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and to put to sea again, without paying any dues other than such as would payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Cousular Agent of the district of the occurrence, or if there be no such Consular officer, they shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of Her Majesty the Queen of the Netherlands shall take place in accordance with the laws, ordinances and regulations of the Netherlands; and, reciprocally, all measures of salvage relative to Netherland vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners, master or their agents, when claimed by them. If such owners, master or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Cousular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, master or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all the duties of the customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the dominions and possessions of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master, or other agent of him is not present, to lend their official assissance in order to afford the necessary assistance to the subjects of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (708)

ARTICLE XII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to Netherland law, are to be deemed Netherland vessels, shall for the purposes of this Treaty be deemed Japanese and Netherland vessels, respectively. (710)

ARTICLE XIII.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place. (710)

ARTICLE XIV.

The High Contracting Parties agree that, in all that concerns commerce, industry and navigation, any privilege, favour or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, subjects, citizens, ships or merchandise of any other State shall be extended immediately and unconditionally to the Government, subjects, ships or merechandise of the other Contracting Party; it being their intention that the trade, industry and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured foreign nation. (710)

ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents, in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls and Consular Agents may exercise all functions, and shall under the same conditions, enjoy all privileges, exemptions and immunities, which are, or may hereafter be, granted to Consular officers of the most favoured foreign nation. (711)

ARTICLE XVI.

The subjects of each of the High Contracting Parties shall under the same conditions enjoy in the dominions and possessions of the orher the protection accorded to native subjects, or subjects or citizens of the most favoured foreign nation in regard to patents, trade-marks and designs, upon fulfilment of the formalities prescribed by law. (711)

ARTICLE XVII.

The stipulations of the present Treaty shall be applicable, so far as the laws permit, to all the colonies and foreign possessions of Her Netherland Majesty.

The subjects of His Majesty the Emperor of Japan will enjoy, however, in the above mentioned Netherland colonies and possessions concerning their commerce, ships, merchandise and custom duties, import as well as export, the same rights, privileges, immunities, favours and exemptions, which are, or will hereafter be, granted to the most favoured foreign nation, with the exception of the special favours accorded or to be accorded to the native states of the Eastern Archipelago for their navigation and the importation of their products into the Netherland East Indian Colonies. (711)

ARTICLE XVIII.

The present Treaty shall, from the date it comes into force, be substituted in place of the Treaties, respectively of the 23rd day of the 12th month of the 2nd year of Ansei, corresponding to the 30th day of January, 1856, of the 29th day of the 8th month of the 4th year of Ansei, corresponding to the 16th day of October, 1857, and of the 10th day of the 7th month of the 5th year of Ansei, corresponding to the 18th day of August, 1858, the Convention of the 13th day of the 5th month of the 2nd year of Keiou, corresponding to the 25th day of June, 1866, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Treaties, Conventions, Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by Netherland Courts in Japan, and all the exceptional privileges, exemptions and immunities then enjoyed by Netherland subjects as a part of or appurtenant to such jurisdiction, shall absolutely aud without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts. (712)

ARTICLE XIX.

The present Treaty shall not take effect until the sixteenth day of the seventh month of the thirty-second year of Meiji, corresponding to the sixteenth July, one thousand eight hundred and ninety-nine.

It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to the Government of Her Majesty the Queen of the Netherlands of its wish to have the same brought into operation. Such notice may be given at any time after the sixteenth day of the seventh month of the thirty-first year of Meiji, corresponding to the sixteenth July, one thausand eight hundred and ninety-eight. The Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given, this Treaty shall wholly cease and determine. (712)

ARTICLE XX.

The present Treaty shall be ratified by the High Contracting Parties, and the ratifications thereof shall be exchanged at Tokio within twelve months after its signature as soon as the formalities required in each country shall have been fulfilled. (713)

In witness whereof, the respective Plenpotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at the Hague, in duplicate, this eighth day of the ninth month of the twenty-ninth year of Meiji, corresponding to the eighth day of September of the eighteen hundred and ninety-sixth year of the Christian era.

(Signed) AKABANE SHIRO.

(Signed) J. RÖELL.
(Signed) VAN DER SLEYDEN.
(Signed) SPRENGER VAN EYK.
(Signed) BERGSMA.
(Signed) VAN DEL KAAY.

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government of Her Majesty the Queen of the Netherlands, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations :—

1. It is agreed by the Contracting Parties, that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import-Tarff now in operation in Japan in respect of goods and merchandise imported into Japan by the subjects of Her Majesty the Queen of the Netherlands, shall cease to be binding. From the same date the general Statutory Tariff of Japan for the time being in force shall, subject to the provisions of Article IX. of the Treaty of the 10th day of the 7th month of the 5th year of Ansei, corresponding to the 18th August, 1858, at

present subsisting between the Contracting Parties, as long as the said Treaty remains in force, and thereafter subject to the provisions of Articles IV. and XIV. of the Treaty signed this day, be applicable to the goods and merchandise being the growth, produce or manufacture of the dominions and possessions of Her Royal Netherland Majesty upon importation into Japan. But nothing contained in this Protocol shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs, or any other indecent or obscene articles; articles in violation of patent, trademark or copyright laws of Japan; or any other article which for sanitary reasons or in view of public security or morals might offer any danger.

In all other respects the stipulations of the existing Treaties and Conventions shall be maintained unconditionally until the time when the Treaty of Commerce and Navigation signed this day comes into force. (714)

2. The Japanese Government, pending the opening of the country to Netherland subjects, agree to extend the existing passport system in such a manner as to allow Netherland subjects, on the production of a certificate of recommendation from the Netherland Representative in Tokio, or from any of Her Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tokio, or from the Chief Authorities in the Prefecture in which an open port is situated; it being understood that the existing rules and regulations governing Netherland subjects who visit the interior of the Empire are to be maintained.

3. The Netherland Government, so far as they are concerned, give their consent to the following Arrangements:

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese Authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements, shall at the same time be transferred to the said Japanese Authorities.

When such incorporation takes place, the existing leases in perpetuity,

under which property is now held in the said Settlements, shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular authorities, mentioned in the same, are in all cases to be replaced by the Japanese Authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes, for which they were originally set apart.

It is, however, understood that if on any of these points more favourable conditions are granted to any other foreign nation, those conditions shall without further stipulation be equally applicable to Netherland subjects. (715)

4. It is understood that although with the entering into full operation of the Treaty of Commerce and Navigation signed this day the jurisdiction now exercised by Netherland judicial authorities in Japan comes to an end, still in respect of all those affairs that are actually pending at the time the Treaty takes full effect, the said jurisdiction shall continue to be exercised until the final decision of such affairs. (715)

5. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified, the Agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding. (716)

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at the Hague, in duplicate, this eighth day of the ninth month of the 29th year of Meiji, corresponding to the eighth day of September of the eighteen hundred and ninety-sixth year of the Christian era.

(Signed) AKABANE SHIRO

(Signed) J. RÖELL.
(Signed) VAN DER SLEYDEN.
(Signed) SPRENGER VAN EYK.
(Signed) BERGSMA.
(Signed) VAN DER KAAY.

PÉROU.

TREATY OF COMMERCE AND NAVIGATION.

Signed at Washington, 20th day of 3rd month, 28th year of Meiji (1895); *Ratified 30th day of 10th month, 29th year of Meiji* (1896); *Ratifications exchanged at Washington, 24th day of 12th month, 29th year of Meiji* (1896); *and Promulgated 7th day of 1st month, 30th year of Meiji* (1897).

His Majesty the Emperor of Japan and His Excellency the President of the Republic of Peru, being equally desirous of maintaining the relations of good understanding which happily exist between them by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say: His Majesty the Emperor of Japan, Shinichiro Kurino, Jushii, of the Order of the Sacred Treasure and of the Fourth Class, and His Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of America, and His Excellency the President of the Republic of Peru, Don José M. Yrigoyen, Chargé d'Affaires of the Republic of Peru in Washington; who, after having communicated to each other their Full Powers found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects or citizens of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native sub-

jects or citizens to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of Justice they shall enjoy all the rights and privileges enjoyed by native subjects or citizens.

In whatever relates to rights of residence and travel; to the posssesion of goods and effects of any kind; to the succession to personal estate by will or otherwise, and the disposal of property of any sort and in any manner whatsoever, which they may lawfully acquire, the subjects or citizens of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties and rights, and shall be subject to no higher imposts or charges in these respects than native subjects or citizens, or subjects or citizens of the most favored nation. The subjects or citizens of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws, ordinances and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects or citizens, or subjects or citizens of the most favored nation.

The subjects or citizens of either of the Contracting Parties residing in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, national guard or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions. (718)

ARTICLE II.

There shall be reciprocal freedom of commerce and navigation between the territories of the two High Contracting Parties.

The subjects or citizens of each of the High Contracting Parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufactures and merchandize of lawful commerce, either in person or by agents, singly or in partnerships with foreigners or native subjects or citizens; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises, and lease land for residential and commercial

purposes, conforming themselves to the laws, police and customs regulations of the country like native subjects or citizens.

They shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other, which are, or may be, opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects or citizens, or subjects or citizens of the most favored nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, other or greater than those paid by native subjects or citizens, or subjects or citizens of the most favored nation.

It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the special laws, ordinances and regulations with regard to trade, police and public security in force in each of the two countries and applicable to all foreigners in general. (718)

ARTICLE III.

The dwellings, manufactories, warehouses and shops of the subjects or citizens of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for subjects or citizens of the country. (719)

ARTICLE IV.

No other or higher duties shall be imposed on the importation into Peru of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of Peru, from whatever place arriving, than on the like article produced or manufactured in

any other foreign country ; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the High Contracting Parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (719)

ARTICLE V.

No other or higher duties or charges shall be imposed in the territories of either of the High Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country ; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other, which shall not equally extend to the exportation of the like article to any other country. (720)

ARTICLE VI.

The subjects or citizens of each of the High Contracting Parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native subjects or citizens in all that relates to warehousing, bounties, facilities and drawbacks. (720)

ARTICLE VII.

All articles which are, or may be, legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Peruvian vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vesssls ; and, reciprocally, all articles which are, or may be, legally imported into the ports of Peru in Peruvian vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Peruvian vessels. Such reciprocal equality of

treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed in the territories of either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese vessels or in Peruvian vessels, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power. (720)

ARTICLE VIII.

No duties of tonnage, harbor, pilotage, ligh-house, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name, or for the profit, of the Government, public functionaries, private individuals, corporations or establishments of any kind, shall be imposed in the ports of the territories of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination. (721)

ARTICLE IX.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the territories of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country, the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality. (721)

ARTICLE X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of Peru, respectively. It is,

however, understood that Japanese subjects in the territories of Peru and Peruvian citizens in the territories of His Majesty the Emperor of Japan, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of Peru and a Peruvian vessel laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and customs regulations of the two countries. (722)

ARTICLE XI.

Any ship-of-war or merchant-vessel of either of the High Contracting Parties, which may be compelled by stress of weather or by reason of any other distress to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the district of the occurrence, or if there be no such Consular officers, they shall inform the Consul-General, Consul, Vice-Consul or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of Peru shall take place in accordance with the laws of Peru ; and, reciprocally, all measures of salvage relative to Peruvian vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country, and such Consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all phe duties of the Customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects or citizens of one of the High Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects or citizens of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given. (722)

ARTICLE XII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to Peruvian law, are to be deemed Peruvian vessels, shall, for the purposes of this Treaty, be deemed Japanese and Peruvian vessels, respectively. (724)

ARTICLE XIII.

If any seaman should desert from any vessel-of-war or merchant-ship belonging to either of the High Contracting Parties within the territories of the other, the local authorities shall be bound to give every assistance in their power for the apprehension and handing over of such deserter, on application to that

effect being made to them by the Consul of the country to which the vessel or ship of the deserter may belong, or by the deputy or representative of the Consul, accompanied by proof from the ship's roll or other public document that the person so demanded is one of the crew of the vessel from which he is alleged to have deserted.

It is understood that this stipulation shall not apply to the subjects or citizens of the country where the desertion takes place. (724)

ARTICLE XIV.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favor or immunity which either High Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects or citizens of any other State shall be extended to the Government, ships, subjects or citizens of the other High Contracting Party, gratuitously, if the concession in favor of that other State shall have been gratuitous, and upon the same or equivalent conditions if the concession shall have been conditional; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other upon the footing of the most favored nation. (724)

ARTICLE XV.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the High Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities which are, or may hereafter be, granted to Consular officers of the most favored nation. (724)

ARTICLE XVI.

The subjects or citizens of each of the High Contracting Parties shall enjoy

in the territories of the other the same protection as native subjects or citizens in regard to patents, trade-marks and designs, upon fulfilment of the formalites prescribed by law. (725)

ARTICLE XVII.

The present Treaty shall, from the date it comes into force, be substituted in place of the Preliminary Treaty of Peace, Friendship, Commerce and Navigation concluded on the 21st day of the 8th month of the 6th year of Meiji, corresponding to the 21st day of August, 1873, and all Arrangements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date the said Treaty and all such Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by Peruvian Courts in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of Peru as a part of or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts. (725)

ARTICLE XVIII.

The present Treaty shall go into operation upon the 17th day of July, 1899, and shall remain in force for the period of seven years from that date.

Either Contracting Party shall have the right, at any time after six years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice shall have been given this Treaty shall wholly cease and determine. (725)

ARTICLE XIX.

The present Treaty shall be ratified by His Majesty the Emperor of Japan and by His Excellency the President of the Republic of Peru after being approved by the Peruvian Congress, and the ratifications thereof shall be exchanged at Washington as soon as possible, and not later than eight months after its signature. (725)

In witness whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate, and have thereunto affixed their seals.

Done at the City of Washington, the 20th day of the 3rd month of the 28th year of Meiji, corresponding to the 20th day of March in the eighteen hundred and ninety-fifth year of the Christian era.

(Signed) SHINICHIRO KURINO,
His Imperial Japanese Majesty's
Envoy Extraordinary and
Minister Plenipotentiary.

(Signed) JOSÉ M. YRIGOYEN,
Chargé d'Affaires of the Republic of Peru.

PROTOCOL.

The Government of His Majesty the Emperor of Japan and the Government of Peru, in view of the desire of the former Power to bring a new Tariff into operation before the Treaty of Commerce and Navigation signed this day takes effect, have, through their respective Plenipotentiaries, agreed upon the following stipulations :—

Article V. of the Treaty of the 21st day of the 8th month of the 6th year of Meiji, corresponding to the 21st day of August, 1873, shall, from the date of the exchange of the ratifications of the Treaty signed this day, cease to be binding, and thereupon the Government of His Majesty the Emperor of Japan shall be at full liberty, equally with the Government of Peru, to fix the rates of import and export duties in respect of the commerce passing between the two countries.

It is, however, understood that no other or higher duties shall be imposed in either country upon goods or merchandize imported from or exported to the other, than such as are, or may hereafter be, imposed upon the like articles imported from or exported to the most favored nation.

This Protocol shall be submitted to the two Contracting Parties at the same time as the Treaty signed this day, and when the said Treaty is ratified the agreement contained in this Protocol shall also equally be con sidered as approved, without the necessity of further formal ratification. (726)

In witness whereof, the respective Plenipotentiaries have signed the present Protocol, and have thereunto affixed their seals.

Done at the City of Washington, the 20th day of the 3rd month of the 28th year of Meiji, corresponding to the 20th day of March in the eighteen hundred and ninety-fifth year of the Christian era.

(Signed) SHINICHIRO KURINO,
His Imperial Japanese Majesty's
Envoy Extraordinary and
Minister Plenipotentiary.

(Signed) JOSÉ M. YRIGOYEN,
Chargé d'Affaires of the Republic of Peru.

PORTUGAL.

TRAITÉ DE COMMERCE ET DE NAVIGATION.

Signé à Lisbonne, le 26e jour du 1er mois de la 30e année de Meiji (1897)*; ratifié le 22e jour du 5e mois de la 30e année de Meiji* (1897)*; ratifications échangées à Lisbonne, le 30e jour du 8e mois de la 30e année de Meiji* (1897)*; et promulgué le 27e jour du 10e mois de la 30e année de Meiji* (1897).

Sa Majesté l'Empereur du Japon et Sa Majesté le Roi de Protugal et des Algarves, animés d'un égal désir de maintenir les bons rapports déjà heureusement établis entre Eux, en étendant et en augmentant les relations entre leurs Etats respectifs, et persuadés que ce but ne saurait être mieux atteint que par la révision des traités jusqu'ici en vigueur entre les deux Pays, ont résolu de procéder à cette révision sur les bases de l'équité et de l'intérêt mutuels et ont nommé, à cet effet, pour leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon :

M. Soné Arasuké, Jushii, 3ème classe de l'Ordre Impérial du Trésor Sacré, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour de Sa Majesté Très-Fidèle ;

Sa Majeste le Roi de Portugal et des Algarves :

Le Conseiller Luiz Marir Pinto do Soveral, Ministre et Secrétaire d'Etat des Affaires Etrangères, Grand Cordon de l'Ordre du Christ, de l'Ordre de Saint Michel et de Saint Georges d'Angleterre et de l'Ordre de Ernest Pie de Saxe Cobourg-Gotha, etc.

Lesquels, après s'être communiqués leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les articles suivants :

ARTICLE I.

Les sujets de chacune des deux Hautes Parties Contractantes auront toute liberté d'entrer, de voyager ou de résider en un lieu quelconque de territoire de l'autre, et y jouiront d'une pleine et entière protection pour leurs personnes et leurs propriétés.

Ils auront un accès libre et facile aux tribunaux pour la poursuite ou la défense de leurs droits ; ils auront, sur le même pied que les sujets du Pays, la faculté de choisir et d'employer des avoués, des avocats et des mandataires, afin de poursuivre et de défendre leurs droits devant ces tribunaux, et quant aux autres matières qui se rapportent à l'administration de la justice, ils jouiront de tous les droits et priviléges dont jouissent les sujets du Pays.

Pour tout ce qui concerne le droit de résidence et de voyage, la possession des biens et effets mobiliers, de quelque espèce que ce soit, la transmission des biens mobiliers par succession testamentaire ou autre et le droit de disposer, de quelque manière que ce soit, des biens de toutes sortes qu'ils peuvent légalement acquérir, les sujets de chacune des deux Parties Contractantes jouiront, dans le territoire de l'autre, des mêmes priviléges, libertés et droits, et ne seront soumis, sous ce rapport, à aucuns impôts ou charges plus élevés que les sujets du Pays ou les sujets ou citoyens de la nation la plus favorisée. Les sujets de chacune des Parties Contractantes jouiront, dans le territoire de l'autre, d'une liberté entière de conscience, et pourront, en se conformant aux Lois, Ordonnances et Règlements, se livrer à l'exercice privé ou public du leur culte ; ils jouiront aussi du droit d'inhumer leurs nationaux respectifs, suivant leurs coutumes religieuses, dans des lieux convenables et appropriés qui seront établis et entretenus à cet effet.

Ils ne seront contraints, sous aucun prétexte, à payer des charges ou taxes autres ou plus élevées que celles qui sont ou seront imposées aux sujets du Pays ou aux sujets ou citoyens de la nation la plus favorisée.

Les sujets de chacune des Parties Contractantes qui résident dans le territoire de l'autre, ne seront astreints à aucun service militaire obligatoire, soit dans l'armée ou la marine, soit dans la garde nationale ou la milice ; ils seront exempts de toutes contributions imposées en lieu et place du service personnel, de tous emprunts forcés et de toutes exactions ou de contributions militaires. (728)

ARTICLE II.

Il y aura, entre les territoires des deux Hautes Parties Contractantes, liberté réciproque de commerce et de navigation.

Les sujets de chacune des Parties Contractantes pourront exercer, en quelque lieu que ce soit du territoire de l'autre, le commerce en gros ou en détail

de tous produits, objets fabriqués et marchandises de commerce licite, soit en personne, soit par leurs représentants, tant seuls qu'en société avec des étrangers ou des sujets du Pays ; ils pourront y posséder ou louer, même par bail emphytéotique, et occuper des maisons, des fabriques, des magasins et des boutiques, et louer des terrains et les prendre à bail emphytéotique, à l'effet d'y résider ou d'y exercer leur profession, le tout en se conformant aux lois, aux règlements de police et de douane du pays, comme les nationaux eux-mêmes.

Ils auront pleine liberté de se rendre avec leurs navires et leurs cargaisons dans tous les lieux, ports et rivières du territoire de l'autre, qui sont ou pourront être ouverts au commerce étranger, et ils jouiront respectivement, en matière de commerce et de navigation, du même traitement que les sujets ou citoyens de la nation la plus favorisée, sans avoir à payer aucuns impôts, taxes ou droits, de quelque nature ou dénomination que ce soit, perçus au nom ou au profit du Gouvernment, des fonctionnaires publics, des particuliers, des corporations ou établissements quelconques, autres ou plus élevés que ceux imposés aux sujets ou citoyens de la nation la plus favorisée.

Il est toutefois entendu que les stipulations contenues dans cet article ainsi que dans l'article précédent ne dérogent en rien aux Lois, Ordonnances et Règlements spéciaux en matière de commerce, d'agriculture, de mines, de pêche, de police et de sécurité publique en vigueur dans chacun des deux Pays et applicables à tous les étrangers en général. (729)

ARTICLE III.

Les habitations, fabriques, magasins et boutiques des sujets de chacune des Hautes Parties Contractantes dans le territoire de l'autre, ainsi que leurs dépendances seront respectés.

Il ne sera pas permis de procéder à des perquisitions ou visites domiciliaires dans ces habitations, fabriques, magasins et boutiques, ou bien d'examiner ou d'inspecter les livres, papiers ou comptes sauf dans les conditions et formes prescrites par les Lois, Ordonnances et Règlement applicables aux sujets du Pays. (730)

ARTICLE IV.

Il ne sera imposé à l'importation directe dans le territoire de Sa Majesté le Roi de Portugal, de tous articles produits ou fabriqués dans le terrtoire de

Sa Majesté l'Empereur du Japon, énumérés à la table A, de quelque endroit qu'ils viennent, et à l'importation directe dans le territoire de Sa Majesté l'Empereur du Japon, de tous articles produits ou fabriqués dans le territoire de Sa Majesté le Roi de Portugal, énumérés à la table B, de quelque endroit qu'ils viennent, aucuns droits autres ou plus élevés que ceux imposés sur les articles similaires produits ou fabriqués dans tout autre pays étranger.

L'importation directe consiste dans l'embarquement des marchandises dans un port de l'une des Hautes Parties Contractantes et dans leur débarquement, durant le même voyage, dans un port de l'autre Partie Contractante, quelle que soit la nationalité du navire, et bien que celui-ci aborde, en escale ou en relâche, un ou plusieurs ports d'une tierce puissance. Elle est démontrée par le manifeste et les connaissements. Est assimilée à l'importation directe l'importation sous connaissement direct (through bill of lading), quand bien même les marchandises spécifiées sur ledit connaissement auraient été transbordées ou déposées dans les entrepôts d'une tierce puissance. Dans ce cas il sera exigé le certificat d'origine.

De même, aucune prohibition ne sera maintenue ou imposée sur l'importation dans le territoire de l'une des Parties Contractantes d'un article quelconque produit ou fabriqué dans le territoire de l'autre, de quelque endroit qu'il vienne, à moins que cette prohibition ne soit également appliquée à l'importation des articles similaires produits ou fabriqués dans tout autre pays.

Cette dernière disposition n'est pas applicable aux prohibitions d'articles qui, pour des raisons sanitaires ou en vue de la sécurité ou de la morale publique, pourront offrir quelque danger ; elle n'est aussi applicable à d'autres prohibitions, provenant de la nécesité de protéger les droits de propriété commerciale, industrielle ou littéraire, et de protéger la conservation du bétail et des plantes à l'agriculture. (730)

ARTICLE V.

Il ne sera imposé dans le territoire de chacune des Hautes Parties Contractantes, à l'exportation d'un article quelconque à destination du territoire de l'autre, aucuns droits ou charges autres ou plus élevés que ceux qui sont ou seront payables à l'exportation des articles similaires à destination d'un autre pays étranger quel qu'il soit ; de même, aucune prohibition ne sera imposée à l'exportation d'aucun article du territoire de l'une des Parties Contractantes à

destination du territoire de l'autre, sans que cette prohibition soit également étendue à l'exportation des articles similaires à destination de tout autre pays. (731)

ARTICLE VI.

Les sujets de chacune des Hautes Parties Contractantes seront exempts, dans le territoire de l'autre, de tout droit de transit, et jouiront d'une parfaite égalité de traitement avec les sujets du Pays relativement à tout ce qui concerne l'emmagasinage, les primes, les facilités et les drawbacks. (732)

ARTICLE VII.

Tous les articles qui sont ou pourront être légalement importés dans les ports du territoire de Sa Majesté l'Empereur du Japon sur des navires japonais pourront, de même, être importés dans ces ports sur des navires portugais; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les mêmes articles importés par des navires japonais. Réciproquement, tous les articles qui sont ou pourront être légalement importés dans les ports du territoire de Sa Majesté le Roi de Portugal sur des navires portugais pourront, de même, être importés dans ces ports sur des navires japonais ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les mêmes articles importés par des navires portugais.

Cette égalité réciproque de traitement sera accordée indistinctement, soit que ces articles viennent directment des pays d'origine, soit qu'ils viennent de tout autre lieu.

De la même manière, il y aura parfaite égalité de traitement relativement à l'exportation ; ainsi, les mêmes droits d'exportation seront payés, et les mêmes primes et drawbacks seront accordés, dans les territoires de chacune des Hautes Parties Contractantes, sur l'exportation de tout article qui est ou pourra être légalement exporté, que cette exportation ait lieu sur des navires japonais ou sur des navires portugais et quel que soit le lieu de destination, qu'il soit un des ports de chacune des Parties Contractantes ou un des ports d'une puissance tierce. (732)

ARTICLE VIII.

Aucun droit de tonnage, de port, de pilotage, de phare, de quarantaine ou autres droits similaires ou analogues, de quelque nature ou sous dénomination que ce soit, levés au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou des établissements de toutes sortes, qui ne seraient également et sous les mêmes conditions imposés, en pareil cas, sur les navires de la nation la plus favorisée, ne seront imposée dans les ports des territoires de chacun des deux Pays, sur les navires de l'autre.

Toutefois cette disposition ne portera pas sur les Traités que le Portugal a conclus avec la République Sud-Africaine, le 11 décembre 1875, et l'Etat Libre d'Orange, le 10 mars 1876, ni sur les stipulations intervenues ou qui pourront intervenir entre le Portugal et le Brésil. (732)

ARTICLE IX.

En tout ce qui cencerne le placement, le chargement et le déchargement des navires dans les ports, bassins, docks, rades, havres ou rivières des territoires des deux Pays, les navires japonais et les navires portugais jouiront réciproquement au Portugal et au Japon des priviléges accordés aux navires de la nation la plus favorisée. (733)

ARTICLE X.

Le cabotage dans les territoires de l'une et de l'autre des Hautes Parties Contractantes sera régi par les Lois, Ordonnances et Règlements du Japon et du Portugal respectivement. Il est toutefois entendu que les sujets japonais dans le territoire de Sa Majesté le Roi de Portugal et les sujets portugais dans le territoire de Sa Majesté l'Empereur du Japon, jouiront, sous ce rapport, des droits qui sont ou pourront être accordés par ces Lois, Ordonnances et Règlements aux sujets ou citoyens de tout autre Pays.

Tout navire japonais chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports du territoire du Portugal, et tout navire portugais chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports de Sa Majesté l'Empereur du Japon, pourra décharger une partie de sa cargaison dans un port, et continuer son voyage pour l'autre ou les autres ports de destination où le commerce étranger est autorisé, dans le but d'y décharger le reste de sa

cargaison d'origine, en se conformant toujours aux Lois et aux Règlements de douane des deux Pays. (733)

ARTICLE XI.

Tout vaisseau de guerre ou navire de commerce de l'une ou de l'autre des Hautes Parties Contractantes qui serait forcé, par un mauvais temps ou par suite de tout autre danger, de s'abriter dans un port de l'autre, aura la liberté de s'y faire réparer, de s'y procurer toutes les provisions nécessaires et de reprendre la mer, sans payer d'autres charges que celles qui seraient payées par les navires nationaux. Dans le cas, cependant, où le capitaine du navire de commerce se trouverait dans la nécessité de vendre une partie de sa cargaison pour payer les frais, il sera obligé de se conformer aux Règlements et Tarifs du lieu où il aurait relâché.

Si un vaisseau de guerre ou un navire de commerce de l'une des Parties Contractantes a échoué ou naufragé sur les côtes de l'autre, les autorités locales en informeront le Consul Général, le Consul, le Vice-Consul ou l'Agent consulaire du lieu de l'accident, et, s'il n'y existe pas de ces officiers consulaires, elles en informeront le Consul Général, le Consul, le Vice-Consul ou l'Agent consulaire du district le plus voisin.

Toutes les opérations relatives au sauvetage des navires japonais naufragés ou échoués dans les eaux territoriales de Sa Majesté le Roi de Portugal, auront lieu conformément aux Lois, Ordonnances et Règlements du Portugal et, réciproquement, toutes les mesures de sauvetage relatives aux navires portugais naufragés ou échoués dans les eaux territoriales de Sa Majesté l'Empereur du Japon, auront lieu conformément aux Lois, Ordonnances et Règlements du Japon.

Tous navires ou vaisseaux ainsi échoués ou naufragés, tous débris et accessoires, toutes fournitures leur appartenant, et tous effets et marchandises sauvés desdits navires ou vaisseaux, y compris ceux qui auraient été jetés à la mer ou les produits desdits objets, s'ils sont vendus, ainsi que tous papiers trouvés à bord de ces navires ou vaisseaux échoués ou naufragés, seront remis aux propriétaires ou à leurs représentants, quand ils les réclameront. Dans le cas où ces propriétaires ou représentants ne se trouveraient pas sur les lieux, lesdits produits ou objets seront remis aux Consuls Généraux, Consuls, Vice-Consuls ou Agents consulaires respectifs, sur leur réclamation, dans le délai fixé par les Lois du pays, et ces officiers consulaires, propriétaires ou représen-

tants payeront seulement les dépenses occasionnées pour la conservation desdits objets ainsi que les frais de sauvetage ou autres dépenses auxquels seraient soumis, en cas de naufrage, les navires nationaux.

Les effets et marchandises sauvés du naufrage seront exempts de tous droits de douane, à moin qu'ils n'entrent à la douane pour la consommation intérieure, auquel cas ils payeront les droits ordinaires.

Dans le cas où un navire appartenant aux sujets de l'une des Parties Contractantes ferait naufrage ou échouerait sur le territoire de l'autre, les Consuls Généraux, Consuls, Vice-Consuls ou Agents consulaires respectifs seront autorisés, en l'absence du propriétaire, capitaine ou autre représentant du propriétaire, à prêter leur appui officiel pour procurer toute l'assistance nécessaire aux sujets des Etats respectifs. Il en sera de même dans le cas où le propriétaire, capitaine ou autre représentant serait présent, et demanderait une telle assistance. (734)

ARTICLE XII.

Tous les navires qui, conformément aux Lois japonaises, sont considérés comme navires japonais, et tous les navires qui, conformément aux Lois portugaises, sont considérés comme navires portugais, seront respectivement considérés comme navires japonais et portugais pour le but de ce Traité. (735)

ARTICLE XIII.

Si un marin déserte d'un vaisseau de guerre ou d'un navire de commerce appartenant à l'une ou l'autre des Hautes Parties Contractantes sur le territoire de l'une, les Autorités locales seront tenues de prêter toute l'assistance en leur pouvoir pour l'arrestation et la remise de ce déserteur, sur la demande qui leur sera adressée par le Consul du Pays auquel appartient le navire ou vaisseau du déserteur ou par le représentant dudit Consul.

Il est entendu que cette stipulation ne s'appliquera pas aux sujets du Pays où la désertion a eu lieu. (735)

ARTICLE XIV.

Les Hautes Parties Contractantes conviennent qu'en tout ce qui concerne l'exercice du commerce, la navigation, et l'industrie, aucuns priviléges, faveurs ou immunités que l'une ou l'autre des Parties Contractantes a déjà accordés ou

accorderait à l'avenir, au Gouvernement ou aux sujets ou citoyens de tout autre Etat, seront étendus immédiatement et sans condition au Gouvernement ou aux sujets de l'autre Partie Contractante, leur intention étant que l'exercice du commerce, la navigation et l'industrie de chaque Pays soient placés, à tous égards, par l'autre, sur le pied de la nation la plus favorisée.

Les prescriptions de cet article et de l'article IV ne s'appliquent pas aux faveurs ayant le caractère de priviléges que le Portugal a accordées ou accordera à l'Espagne et au Brésil. (736)

ARTICLE XV.

Chacune des Hautes Parties Contractantes pourra nommer les Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents consulaires dans tous les ports, villes et places de l'autre, sauf dans les localités où il y aurait inconvénient à admettre de tels officiers consulaires.

Cette exception ne sera cependant pas faite à l'égard de l'une des Parties Contractantes, sans l'être également à l'égard de toutes les autres puissances.

Les Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents consulaires exerceront toutes leurs fonctions et jouiront de tous les priviléges, exemptions et immunités qui sont ou seront accordés à l'avenir aux officiers consulaires de la nation la plus favorisée. (736)

ARTICLE XVI.

Les sujets de chacune des Hautes Parties Contractantes jouiront, sur le territoire de l'autre, de la même protection que les sujets du Pays relativement aux patentes, marques de fabrique et dessins, en remplissant les formalités prescrites par la loi. (736)

ARTICLE XVII.

Le Gouvernement de Sa Majesté le Roi de Portugal donne, en ce qui le concerne, son adhésion à l'Arrangement suivant :

Les divers quartiers étrangers qui existent au Japon seront incorporés aux communes respectives du Japon et feront dès lors partie du système municipal du Japon.

Les autorités japonaises compétentes assumeront en conséquence toutes les obligations et tous les devoirs municipaux qui résultent de ce nouvel état de

choses, et les fonds et biens municipaux qui pourraient appartenir à ces quartiers seront, de plein droit, transférés auxdites Autorités Japonaises.

Lorsque les changements ci-dessus indiqués auront été effectués, les baux à perpétuité en vertu desquels les étrangers possèdent actuellement des propriétés dans les quartiers seront confirmés, et les propriétés de cette nature ne donneront lieu à aucuns impôts, taxes, charges, contributions ou conditions quelconques autres que ceux expressément stipulés dans les baux en question. Il est toutefois entendu qu'aux Autorités consulaires dont il y est fait mention seront substituées les Autorités japonaises.

Les terrains que le Gouvernement japonais aurait concédés exempts de rentes, vu l'usage public auquel ils étaient affectés, resteront, sous la réserve des droits de la souveraineté territoriale, affranchis d'une manière permanente de tous impôts, taxes et charges, et ils ne seront point détournés de l'usage auquel ils étaient primitivement destinés. (737)

ARTICLE XVIII.

Le présent Traité prendra, du jour où il entrera en vigueur, lieu et place des stipulations du Traité et de tous les arrangements et conventions subsidiaires existant entre les Hautes Parties Contractantes, et à partir du même jour, lesdits stipulations, arrangements et conventions cesseront d'être obligatoires. (737)

ARTICLE XIX.

Le présent Traité entrera en vigueur le 17^{me} jour du 7^{me} mois de la 32^{me} année de Meiji, correspondant au 17 juillet 1899, et il restera valable pendant une période de douze ans après le jour où il entrera en vigueur. Il sera exécutoire, pour le Portugal, dans la métropole, aux îles adjacentes (Madère, Porto-Santo et Azores) et à Macau.

L'une ou l'autre des Hautes Parties Contractantes aura le droit, à un moment quelconque après que onze ans se seront écoulés depuis l'entrée en vigueur de ce Traité, de notifier à l'autre, son intention de mettre fin au présent Traité, et à l'expiration de douze mois après cette notification, ce Traité cessera et finira entièrement. (738)

ARTICLE XX.

Le présent Traité sera ratifié par les Hautes Parties Contractantes et les ratifications en seront échangées à Lisbonne au plus tôt possible, n'excédant pas le délai de six mois après la signature. (738)

En foi de quoi, les Plénipotentiaires des deux Pays ont signé le présent Traité, fait en double exemplaire et écrit en langne française, et y ont apposé leurs sceaux.

Fait à Lisbonne, le 26^{me} jour du 1er mois de la 30^{me} année de Meiji, correspondant au 26 Janvier 1897.

(L. S.) SONÉ ARASUKÉ (L. S.) LUIZ DO SOVERAL.

TABLE A.

PRODUITS JAPONAIS QUI JOUIRONT DU TRAITEMENT DE LA NATION LA PLUS FAVORISÉE À LEUR IMPORTATION AU PORTUGAL, MADÈRE, PORTO-SANTO, AZORES ET MACAU. (739)

Acide sulphurique.
Allumettes.
Antimoine.
Bronze.
Camphre : crue et rafinée.
Charbon.
Cire végétale.
Cuivre : lingots et feuilles.
Essence de menthe poivrée.
Eventails.
Feuilles de tabac.
Fils de coton, simples et tissus de coton.

Graines et huiles de colza.
Huile de camphre.
Huiles de poisson.
Manganèse.
Menthol et crystaux de menthol.
Nattes et paillassons.
Ouvrages en bambou, cloisonné, glace, ivoire, écaille, lacque, bois, porcelaine et terre.
Ouvrages en bronze.
Ouvrages en cuivre.
Ouvrages en papier.
Papier de toute espèce.
Plantes marines.
Paravents.
Poissons de toute sorte, y compris coquillages : frais, salés, sechés, pressés, fumés ou en saumure.
Riz.
Soie : crue, en déchets, bourre, cocons, fils de toute sorte et tissus.
Soufre.
Thé.
Tresses et bandes tissées de paille.

TABLE B.

PRODUITS PORTUGAIS QUI JOUIRONT DU TRAITEMENT DE LA NATION LA PLUS FAVORISÉE À LEUR IMPORTATION AU JAPON. (740)

NOTE—Cette table s'applique non seulement aux produits de la métropole, mais également aux produits des colonies respectives exportés de la métropole et de Macau.

Cacao en fèves et écale de cacao brut.

Café brut en fèves.
Chandelles et bougies.
Chapeaux, y compris les chapeaux de feutre.
Cuirs de toute sorte.
Dentelles de toute sorte, en lin ou coton.
Fruits et baies : frais, salés, séchés en saumure, sucrés ou préparés à l'huile ou au vinaigre, même en récipients de verre, de terre cuite, de fer blanc, ou autres hermétiquement fermés.
Huiles végétales (huiles d'olives, d'arachides, de sesame, de coco et de palme.)
Huiles minérales.
Légumes non préparés ou en conserve.
Liège ouvré.
Ouvrages en métaux.
Ouvrages en tissu de coton, de laine ou de lin.
Ouvrages en cuirs.
Plomb en saumons, lingots et plaques.
Poissons marinés à l'huile, en récipients hermétiquement fermés.
Savons.
Sels de quinine.
Sucre.
Tissus de laine, de lin et de coton.
Verres à vitres.
Vins de tout espèce en fûts, barrils ou bouteilles, quel que soit leur titrage alcoolique.

PROTOCOLE.

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majesté le Roi de Protugal et des Algarves, jugeant utile, dans l'intérêt des deux Pays, de régler certaines matières spéciales qui les concernent mutuellement, séparément du Traité de Commerce et de Navigation signé en ce jour, sont convenus, par leurs Plénipotentiaires respectifs, des dispositions suivantes :

1° Il est convenu par les Parties Contractantes qu'un mois après l'échange des ratifications du Traité de Commerce et de Navigation signé en ce jour, le Tarif d'importation aujourd'hui en vigueur à l'égard des articles et marchandises importés au Japon par les sujets de Sa Majesté le Roi de Portugal cessera d'être obligatoire. A partir du même moment, le Tarif général établi par la Loi intérieure du Japon sera applicable aux articles et marchandises produits ou manufacturés du Territoire de Sa Majesté le Roi de Portugal sur leur importation au Japon, sous réserve des stipulations de l'article XXIII du Traité existant entre les deux Parties Contractantes, aussi longtemps que lesdites stipulations resteront en vigueur, puis, subséquemment de l'article IV du Traité signé en ce jour. Mais aucune disposition de ce Protocole n'aura pour effet de limiter le droit du Gouvernement japonais de restreindre ou de prohiber l'importation des drogues, médecines, aliments ou boissons altérés ; des gravures, peintures, livres, cartes, gravures lithographiées ou autres, et photographies indécentes ou obscènes, ou tous autres articles indécents ou obscènes ; articles en violation des Lois japonaises sur les patentes, les marques de fabrique ou la propriété littéraire ; ou tout autre article qui, pour des raisons sanitaires ou en vue de la sécurité ou de morale publique, pourra offrir quelque danger.

Il est toutefois entendu que dans le cas où l'application du principe de la nation la plus favorisée en matière des droits de douane, garanti par le Traité signé en ce jour, aussi bien que par ce Protocole, se trouvera non satisfaisante dans la pratique, les deux gouvernements s'accorderont à substituer le Tarif conventionel concernant les articles d'exportation ayant un intérêt spécial pour chacun des deux Pays. (742)

2° Le Gouvernement japonais consent, en attendant l'ouverture complète du pays aux sujets portugais, d'étendre le système existant des passeports de façon à permettre aux portugais, sur la production d'un certificat favorable émanant de la Légation du Portugal à Tokio ou de l'un quelconque des Consulats du Portugal dans les ports ouverts, d'obtenir sur leur demande du Ministre Impérial des Affaires Etrangères ou des autorités principales de la Préfecture dans laquelle est situé un port ouvert, des passeports valables pour toute l'étendue du pays et pour toute période n'excédant pas douze mois.

Il est bien entendu que sous cette réserve, les Lois et Règlements existants et régissant les sujets portugais qui voyagent dans l'Empire du Japon sont maintenus. (743)

3° Le Gouvernement japonais consent que l'article XVI du Traité signé en ce jour ponrra être mis en vigueur à partir du jour de l'échange des ratifications dudit Traité. (743)

4° Les Plénipotentiaires soussignés ont convenu que ce Protocole sera soumis à l'approbation des deux Hautes Parties Contractantes en même temps que le Traité de Commerce et de Navigation signé en ce jour, et que, quand ledit Traité sera ratifié, les stipulations contenues dans ce Protocole seront également considérées comme approuvées, sans qu'il soit nécessaire d'une ratification formelle ultérieure.

Il est également convenu que ce Protocole prendra fin en même temps que ledit Traité cessera d'être obligatoire. (743)

En foi de quoi, les Plénipotentiaires des deux Pays ont signé le présent Protocole et y ont apposé leurs sceaux.

Fait à Lisbonne, en double exemplaire, le 26^{me} jour du 1er mois de la 30^{me} Année de Meiji, correspondant au 26 Janvier 1897.

(L. S.) SONÉ ARASUKÉ. (L. S.) LUIZ DO SOVERAL.

RUSSIE.

TRAITÉ DE COMMERCE ET DE NAVIGATION.

Signé à St. Pétersbourg, le 28e jour du 7e mois de la 40e année de Meiji (1907); *Ratifié le 9e jour du 9e mois de la 40e année de Meiji* (1907); *Ratifications échangées à Tokio, le 9e jour du 9e mois de la 40e année de Meiji* (1907); *et Promulgué le 11e jour du 9e mois de la 40e année de Meiji* (1907).

Sa Majesté l'Empereur du Japon et Sa Majesté l'Empereur de toutes les Russies, animés d'un égal désir de développer les relations commerciales entre les deux pays, ont résolu, conformément aux dispositions de l'Article XII du Traité de Paix signé à Portsmouth, de conclure un Traité de Commerce et de Navigation sur les bases de l'équité et de l'intérêt mutuel, et ont nommé à cet effet, pour Leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon :

Itchiro Motono, Docteur en Droit, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de toutes les Russies ;

et Sa Majesté l'Empereur de toutes les Russies :

Le Maître de Sa Cour Alexandre Iswolsky, Ministre des Affaires Etrangères,

L'Ecuyer de Sa Cour Dmitri Philosophow, Ministre du Commerce et de l'Industrie, Membre du Conseil de l'Empire, et

Le Maître de Sa Cour Nicolas Malevsky-Malévitch, Sénateur ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivants :

ARTICLE I.

Les sujes de chacune des deux Hautes Parties Contractantes auront toute liberté, en se conformant aux lois du pays, d'entrer, de voyager ou de résider en un lieu quelconque du territoire de l'autre, et y jouiront d'une pleine et entière protection pour leurs personnes et leurs propriétés.

Ils auront un accès libre et facile aux tribunaux pour la poursuite ou la

défense de leure droits ; ils auront, sur le même pied que les sujets du pays, la faculté de choisir et d'employer des avoués, des avocats et des mandataires afin de poursuivre et de défendre leurs droits devant ces tribunaux, et quant aux autres matières qui se rapportent à l'administration de la justice, ils jouiront de tous les droits et privilèges dont jouissent les sujets du pays.

Pour tout ce qui concerne le droit de résidence et de voyage, la possession des biens et effets mobiliers, de quelque espèce que ce soit, la transmission des biens mobiliers par succession testamentaire ou autre, et le droit de disposer, de quelque manière que ce soit, des biens de toutes sortes qu'ils peuvent légalement acquérir, les sujets de chacune des deux Parties Contractantes jouiront dans le territoire de l'autre des mêmes privilèges, libertés et droits, et ne seront soumis, sous ce rapport, à aucuns impôts ou charges plus élevés que les sujets du pays ou les sujets ou citoyens de la nation la plus favorisée.

Les sujets de chacune des Parties Contractantes jouiront, dans le territoire de l'autre, d'une liberté entière de conscience, et pourront, en se conformant aux lois, ordonnances et règlements, se livrer à l'exercice privé ou public de leur culte ; ils jouiront aussi du droit d'inhumer ou de brûler les corps de leurs nationaux respectifs, suivant leurs coutumes religieuses, dans des lieux convenables et appropriés qui seront établis et entretenus à cet effet.

Il est entendu qu'en tout ce qui concerne l'agriculture, le droit de propriété sur les biens immobiliers et la détention de terres sous un autre titre quelconque, les sujets japonais en Russie et les sujets russes au Japon jouiront du même traitement que les sujets ou citoyens de la nation la plus favorisée.

Ils ne seront contraints, sous aucun prétexte, à payer des charges ou taxes autres ou plus élevées que celles qui sont ou seront imposées aux sujets du pays ou aux sujets ou citoyens de la nation la plus favorisée.

Les sujets de chacune des Parties Contractantes qui résident dans le territoire de l'autre ne seront astreints à aucun service militaire obligatoire, soit dans l'armée ou la marine, soit dans la garde nationale ou la milice ; ils seront exempts de toutes contributions imposées en lieu et place du service personnel et de tous emprunts forcés, de toutes exactions ou de contributions militaires.

La dite exemption ne comprend pas les charges qui sont attachées à la possession d'un bien-fonds, ni les prestations et réquisitions militaires auxquelles les sujets du pays peuvent être appelés à se soumettre comme propriétaires, fermiers, locataires ou détenteurs d'immeubles. (745)

ARTICLE II.

Il y aura, entre les territoires des deux Hautes Parties Contractantes, liberté réciproque de commerce et de navigation.

Les sujets de chacune des Parties Contractantes pourront en quelque lieu que ce soit du territoire de l'autre, exercer, en se conformant aux lois, règlements et ordonnances du pays, toute espèce d'industrie ou de métier, faire le commerce en gros ou en détail de tous produits, objets fabriqués et marchandises de commerce licite, soit en personne, soit par leurs représentants, tant seuls qu'en société avec des étrangers ou des sujets du pays ; ils pourront y posséder ou louer et occuper des maisons et des magasins, louer des terrains à l'effet d'y résider ou d'y exercer une profession, le tout en se conformant aux lois, aux règlements de police et de douane du pays, comme les nationaux eux-mêmes.

Ils auront pleine liberté de se rendre avec leurs navires et leurs cargaisons dans tous les lieux, ports et rivières du territoire de l'autre qui sont ou pourront être ouverts au commerce étranger, et ils jouiront respectivement, en matière de commerce et de navigation, du même traitement que les sujets du pays, sans avoir à payer aucuns impôts, taxes ou droits de quelque nature ou dénomination que ce soit, perçus au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou établissements quelconques, autres ou plus élevés que ceux imposés aux sujets du pays.

Il est toutefois entendu que les stipulations contenues dans cet Article ainsi, que dans l'Article précédant ne dérogent en rien aux lois, ordonnances et règlements spéciaux en matière de commerce, d'industrie, de métier, de profession, de propriété, de police, de sécurité et de santé publiques qui sont ou qui pourront être en vigueur dans chacun des deux pays et applicables à tous les étrangers en général. (747)

ARTICLE III.

Les habitations, magasins et boutiques des sujets de chacune des Hautes Parties Contractantes dans le territoire de l'autre, ainsi que les édifices qui en dépendent, servant soit à la demeure, soit au commerce, soit à l'industrie, seront respectés.

Il ne sera pas permis de procéder à des perquisitions ou visites domiciliaires

dans ces habitations et édifices, ou bien d'examiner ou d'inspecter les livres, papiers ou comptes, sauf dans les conditions et formes prescrites par les lois, ordonnances et règlements applicables aux sujets du pays. (747)

ARTICLE IV.

Il ne sera imposé à l'importation dans le territoire de Sa Majesté l'Empereur de toutes les Russies de tous articles produits ou fabriqués dans le territoire de Sa Majesté l'Empereur du Japon, de quelque endroit qu'ils viennent, et à l'importation dans le territoire de Sa Majesté l'Empereur du Japon, de de tous articles produits ou fabriqués dans le territoire de Sa Majesté l'Empereur de toutes les Russies, de quelque endroit qu'ils viennent, aucuns droits autres ou plus élevés que ceux imposés sur les articles similaires produits ou fabriqués dans tout autre pays étranger.

Aucune prohibition ne sera maintenue ou imposée sur l'importation dans le territoire de l'une des Parties Contractantes d'un article quelconque produit ou fabriqué dans le territoire de l'autre, de quelque endroit qu'il vienne, à moins que cette prohibition ne soit également appliquée à l'importation des articles similaires produits ou fabriqués dans tout autre pays. Cette dernière disposition n'est pas applicable aux prohibitions sanitaires ou autres provenant de la nécessité de protéger la sécurité des personnes, ainsi que la conservation du bétail et des plantes utiles à l'agriculture. (748)

ARTICLE V.

Il ne sera imposé dans le territoire de chacune des Hautes Parties Contractantes, à l'exportation d'un article quelconque à destination du territoire de l'autre, aucuns droits ou charges autres ou plus élevés que ceux qui sont ou seront payables à l'exportation des articles similaires à destination d'un autre pays étranger quel qu'il soit ; de même, aucune prohibition ne sera imposée à l'exportation d'aucun article du territoire de l'une des Parties Contractantes à destination du territoire de l'autre, sans que cette prohibition ne soit également étendue à l'exportation des articles similaires à destination de tout autre pays. (748)

ARTICLE VI.

Les sujets de chacune des Hautes Parties Contractantes jouiront, dans le

territoire de l'autre, d'un traitement parfaitement égal à celui des sujets ou citoyens de la nation la plus favorisée, en tout ce qui concerne les droits de transit, le magasinage, les primes, les facilités et les drawbacks. (748)

ARTICLE VII.

Tous les articles qui sont ou pourront être légalement importés dans les ports du territoire de Sa Majesté l'Empereur du Japon, sur des navires japonais, pourront, de même, être importés dans ces ports sur des navires russes ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les même articles importés par des navires japonais. Réciproquement, tous les articles qui sont ou pourront être légalement importés dans les ports du territoire de Sa Majesté l'Empereur de toutes les Russies, sur des navires russes, pourront, de même, être importés dans ces ports sur des navires japonais ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les mêmes articles importés par des navires russes. Cette égalité réciproque de traitement sera accordée indistinctement, soit que ces articles viennent directement des pays d'origine, soit qu'ils viennent de tont autre lieu.

De la même manière, il y aura parfaite égalité de traitement relativement à l'exportation ; ainsi, les mêmes droits d'exportation seront payés, et les mêmes primes et drawbacks seront accordés, dans les territoires de chacune des Hautes Parties Contractantes, sur l'exportation de tout article qui est ou pourra être légalement exporté, que cette exportation ait lieu sur des navires japonais ou sur des navires russes et quel que soit le lieu de destination, qu'il soit un des ports de chacune des Parties Contractantes ou un des ports d'une Puissance tierce. (749)

ARTICLE VIII.

Aucun droit de tonnage, de port, de pilotage, de phare, de quarantaine ou autres droits similaires ou analogues de quelque nature ou sous quelque dénomination que ce soit, levés au nom ou au profit dn Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou des établissements de toutes sortes qui ne seraient également et sous les mêmes conditions imposés, en pareil cas, sur les navires nationaux en général, ne seront imposés dans les

ports des territoires de chacun des deux pays, sur les navires de l'autre. Cette égalité de traitement sera appliquée réciproquement aux navires respectifs de queleque endroit qu'ils arrivent et quel que soit le lieu de destination. (479)

ARTICLE IX.

En tout ce qui concerne le placement, le chargement et le déchargement des navires dans les ports, bassins, docks, rades, havres ou rivières des territoires de l'un des deux pays, aucun privilège ne sera accordé aux navires nationaux, qui ne serait également accordé aux navires de l'autre pays, l'intention des Hautes Parties Contractantes étant que, sous ce rapport aussi, les navires respectifs soient traités sur le pied d'une parfaite égalité. (750)

ARTICLE X.

Le cabotage dans les territoires de l'une ou de l'autre des Hautes Parties Contractantes est excepté des dispositions du présent Traité, et sera régi par les lois, ordonnances et règlements du Japon et de la Russie respectivement. Il est toutefois entendu que les sujets japonais dans le territoire de Sa Majesté l'Empereur de toutes les Russies et les sujets russes dans le territoire de Sa Majesté l'Empereur du Japon, jouiront, sous ce rapport, des droits qui sont ou pourront être accordés par ces lois, ordonnances et règlements aux sujets ou citoyens de tout autre pays.

Tout navire japonais chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports du territoire de Sa Majesté l'Empereur de toutes les Russies, et tout navire russe chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports du territoire de Sa Majesté l'Empereur du Japon, pourra décharger une partie de sa cargaison dans un port et continuer son voyage pour l'autre ou les autres ports de destination où le commerce étranger est autorisé, dans le but d'y décharger le reste de sa cargaison d'origine, en se conformant toujours aux lois et aux règlements de douane des deux pays. (750)

ARTICLE XI.

Tout vaisseau de guerre ou navire de commerce de l'une ou de l'autre des Hautes Parties Contractantes qui serait forcé par un mauvais temps ou par suite de tout autre danger de s'abriter dans un port de l'autre, aura la liberté de s'y faire réparer, de s'y procurer toutes les provisions nécessaires et de re-

prendre la mer, sans payer d'autres charges que celles qui seraient payées par les navires nationaux. Dans le cas, cependant, où le capitaine du navire de commerce se trouverait dans la nécessité de vendre une partie de sa cargaison pour payer les frais, il sera obligé de se conformer aux règlements et tarifs du lieu où il aurait relâché.

Si un vaisseau de guerre ou un navire de commerce de l'une des Parties Contractantes a échoué ou naufragé sur les côtes de l'autre, les autorités locales en informeront le Consul-Général, le Consul, le Vice-Consul ou l'Agent Consulaire du lieu de l'accident, et, s'il n'y existe pas de ces officiers consulaires, elles en informeront le Consul-Général, le Consul, le Vice-Consul ou l'Agent Consulaire du district le plus voisin.

Toutes les opérations relatives au sauvetage des navires japonais naufragés ou échoués dans les eaux territoriales de Sa Majesté l'Empereur de toutes les Russies auront lieu, conformément aux lois, ordonnances et règlements de la Russie et, réciproquement, toutes les mesures de sauvetage relatives aux navires russes naufragés ou échoués dans les eaux territoriales de Sa Majesté l'Empereur du Japon auront lieu conformément aux lois, ordonnances et règlements du Japon.

Tous navires ou vaisseaux ainsi échoués ou naufragés, tous débris et accessoires, toutes fournitures leur appartenant et tous effets et marchandises sauvés desdits navires ou vaisseaux, y compris ceux qui auraient été jetés à la mer ou les produits desdits objets, s'ils sont vendus, ainsi que tous papiers trouvés à bord de ces navires ou vaisseaux échoués ou naufragés, seront remis aux propriétaires ou à leurs représentants, quand ils les réclameront. Dans le cas où ces propriétaires ou représentants ne se trouveraient pas sur les lieux, lesdits produits ou objets seront remis aux Consuls-Généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs, sur leur réclamation, dans le délai fixé par les lois du pays, et ces officiers consulaires, propriétaires ou représentants payeront seulement les dépenses occassionnées pour la conservation desdits objets ainsi que les frais de sauvetage ou autres dépenses auxquels seraient soumis, en cas de naufrage, les navires nationaux.

Les effets et marchandises sauvés du naufrage seront exempts de tous droits de douane, à moins qu'ils n'entrent à la douane pour la consommation intérieure, auquel cas ils payeront les droits ordinaires.

Dane le cas où un navire appartenant aux sujets d'une des Parties Con-

tractantes ferait naufrage ou échouerait sur le territoire de l'autre, les Consuls-Généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs seront, si le propriétaire, capitaine ou autre représentant est absent, ou étant présent le demande, autorisés à intervenir à l'effet de prêter l'assistance nécessaire à leurs nationaux. (750)

ARTICLE XII.

Tous les navires qui, conformément aux lois japonaises, sont considérés comme navires japonais, et tous les navires qui, conformément aux lois russes, sont considérés comme navires russes, seront respectivement considérés comme navires japonais et russes pour le but de ce Traité.

Les certificats de jaugeage, délivrés par l'une des Parties Contractantes, seront reconnus par l'autre d'après des arrangements spéciaux à convenir entre elles. (752)

ARTICLE XIII.

Si un marin déserte d'un vaisseau de guerre ou d'un navire de commerce appartenant à l'une ou l'autre des Hautes Parties Contractantes sur le territoire de l'autre, les autorités locales seront tenues de prêter toute l'assistance en leur pouvoir pour l'arrestation et la remise de ce déserteur, sur la demande qui leur sera adressée par le Consul du pays auquel appartient le navire ou vaisseau du déserteur ou par le représentant dudit Consul.

Il est entendu que cette stipulation ne s'appliquera pas aux sujets du pays où la désertion a eu lieu. (752)

ARTICLE XIV.

Les Hautes Parties Contractantes conviennent qu'en tout ce qui concerne le commerce, la navigation, l'industrie et les métiers, tous les privilèges, faveurs ou immunités que l'une ou l'autre des Parties Contractantes a déjà accordés ou accordera à l'avenir au Gouvernement, aux navires ou aux sujets ou citoyens de tout autre Etat, seront étendus immédiatement et sans condition au Gouvernement, aux navires ou aux sujets de l'autre Partie Contractante, leur intention étant que le commerce, la navigation et l'industrie de chaque pays soient placés, à tous égards, par l'autre, sur le pied de la nation la plus favorisée. (752)

ARTICLE XV.

Chacune des Hautes Parties Contractantes pourra nommer des Consul-Généraux, Consuls, Vice-Consuls et Agents Consulaires dans tous les ports, villes et places de l'autre, sauf dans les localités où il y aurait inconvénient à admettre de tels officiers consulaires.

Cette exception ne sera cependant pas faite à l'égard de l'une des Parties Contractantes, sans l'être également à l'égard de toutes les autres Puissances.

Les Consuls-Généraux, Consuls, Vice-Consuls et Agents Consulaires pourront, à charge de réciprocité, exercer toutes leurs fonctions et jouir de tous les privilèges, exemptions, immunités et pouvoirs qui sont ou seront accordés à l'avenir aux officiers consulaires de la nation la plus favorisée.

Les organes des représentations diplomatiques et les consulates de carrière qui seront envoyés en Russie par le Gouvernement japonais, ainsi que les fonctionnaires y appartenant, jouiront, à titre de réciprocité, d'une liberté pleine et entière vis-à-vis de la censure tant pour les journaux et publications périodiques, que pour les produits des sciences, des arts et des littératures. (753)

ARTICLE XVI.

Les sujets de chacune des Hautes Parties Contractantes jouiront, sur le territoire de l'autre, de la même protection que les sujets du pays relativement aux patentes, marques de fabrique et dessins, en remplissant les formalités prescrites par la loi.

Les deux Parties Contractantes s'engagent d'entrer aussitôt que possible en pourparlers dans le but de conclure une convention spéciale, sur la base de la réciprocité, concernant la protection respective de la propriété industrielle et commerciale. (753)

ARTICLE XVII.

Le présent Traité entrera en vigueur deux mois après l'échange des ratifications et restera valable jusqu'à ce qu'il finisse de la manière indiquée ci-dessous.

L'une ou l'autre des Hautes Parties Contractantes aura le droit, après le dix-septième jour du septième mois de la quarante-troisième année de Meidji, correspondant au quatre (dix-sept) Juillet de l'an mil neuf cent dix, de notifier

à l'autre son intention de mettre fin au présent Traité, et, à l'expiration de douze mois après cette notification, ce Traité cessera et finira entièrement. (754)

ARTICLE XVIII.

Le présent Traité sera ratifié et les ratifications en seront échangées à Tokio le plus tôt possible, et en tout cas pas plus tard que quatre mois après sa signature.

En foi de quoi les Plénipotentiaires respectifs ont signé et scellé de leurs sceaux le présent Traité. (754)

Fait à Saint-Pétersbourg, le vingt huitième jour du septième mois de la quarantiéme année de Meidji, correspondant au quinze (vingt huit) juillet de l'an mil neuf cent sept.

(Signé) I. MOTONO. (L. S.) (Signé) ISWOLSKY. (L. S.)
(Signé) D. PHILOSOPHOW. (L. S.)
(Signé) N. MALEVSKY-MALEVITCH. (L. S.)

ARTICLES SÉPARÉS.

Il est entendu que les réserves suivantes ne sont pas censées déroger au présent Traité en tant qu'exceptionnelles et indépendantes des règles généralement appliquées au commerce et relations extérieurs ; lesdites réserves ne peuvent en aucun cas être invoquées au préjudice des principes du traitement national et de celui de la nation la plus favorisée, établi par le présent Traité sauf pour les exceptions ci-dessous indiquées :

DE LA PART DU JAPON :

Art. I. Les dispositions concernant les relations spéciales entre le Japon et la Corée relativemnt au commerce, à l'industrie et à la navigation. (755)

Art. II. Les dispositions relatives au commerce entre le Japon et les pays voisins du Japon dans l'Asie orientale, situés à l'est du détroit de Malacca. (755)

Art. III. Le monopole sur quelque article que ce soit que le Gouvernement du Japon pourrait se réserver. (755)

DE LA PART DE LA RUSSIE :

Art. I. Les faveurs actuellement accordées ou qui pourraient être accordées ultérieurement à des états limitrophes pour faciliter le trafic local d'une zone frontière s'étendant jusqu'à 50 verstes de largeur. (755)

Art. II. Les faveurs actuellement accordées ou qui pourraient être accordées ultérieurement, relativement à l'importation ou l'exportation, aux habitants du Gouvernement d'Arkhangel, ainsi que pour les côtes septentrionales de la Russie d'Asie (Sibérie). (755)

Art. III. Les stipulations spéciales contenues dans le traité entre la Russie et la Suède et la Norvège du $\frac{26 \text{ avril}}{8 \text{ mai}}$ 1838. (755)

Art. IV. Les dispositions qui se rapportent au commerce de la Russie avec les pays limitrophes de l'Asie. (755)

Art. V. La franchise dont jouissent les navires construits en Russie et appartenant à des sujets russes, lesquels pendant les trois premières années sont exempts des droits de navigation. (756)

Art. VI. Les immunités accordées en Russie à différentes compagnies de plaisance dites Yacht-Clubs. (756)

Art. VII. Le monopole sur quelque article que ce soit que le Gouvernement de Russie pourrait se réserver. (756)

Les présents Articles Séparés auront la même force et valeur que s'ils étaient insérés mot pour mot dans le Traité de ce jour. Ils seront ratifiés et les ratifications en seront échangées en même temps. (756)

En foi de quoi les Plénipotentiaires respectifs ont signé et scellé de leurs sceaux les présents Articles Séparés.

Fait à St. Pétersbourg, le vingt huitième jour du septième mois de la quarantième année de Meidji, corrspondant au quinze (vingt huit) juillet de l'an mil neuf cent sept.

(Signé) I. MOTONO. (L. S.)
(Signé) ISWOLSKY. (L. S.)
(Signé) D. PHILOSOPHOW. (L. S.)
(Signé) N. MALEVSKY-MALÉVITCH. (L. S.)

PROTOCOLE.

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majesté l'Empereur de toutes les Russies jugeant utile, dans l'intérêt des deux pays, de régler certains matières spéciales qui les concernent mutuellement, séparément du Traité de Commerce et de Navigation signé en ce jour, sont convenus par Leurs Plénipotentiaires respectifs des dispositions suivantes :

1) La durée de la validité du visa mis par les autorités russes sur les passeports japonais sera de six mois. Le droit ou taxe de quelque dénomination que ce soit, levé par les autorités russes pour la délivrance des passeports à l'étranger aux sujets japonais ou pour l'inscription sur les passeports japonais de la permission de quitter la Russie ne dépassera pas le montant de cinquante copeks, au profit du Trésor. (757)

2) Les articles produits ou manufacturés dans le territoire à bail de Liaotong qui seront importés dans les provinces russes : a) de l'Amour et b) Maritime, par la frontière de terre de Manchourie, et les articles produits ou manufacturés dans lesdites provinces russes qui seront importés dans le territoire à bail de Liaotong par la forntière de terre seront soumis respectivement, en tout ce qui concerne les facilités et les droits de douane, au même traitement que les articles produits ou manufacturés en Manchourie. (757)

3) Le présent Protocole sera considéré comme ratifié par la ratification du Traité de Commerce et de Navigation signé en ce jour, et il prendra fin en même temps que le Traité cessera d'être obligatoire.

En foi de quoi les Plénipotentiaires respectifs ont signé et scellé de leurs sceaux le présent Protocole. (757)

Fait à St. Pétersbourg, le vingt huitième jour du septième mois de la quarantième année de Meidji, correspondant au quinze (vingt huit) juillet de l'an mil neuf cent sept.

(Signé) I. MOTONO. (L. S.) (Signé) ISWOLSKY. (L. S.)
(Signé) D. PHILOSOPHOW. (L. S.)
(Signé) N. MALEVSKY-MALEVITCH. (L. S.)

PROTOCOLE

Relatif à certaines questions consulaires.

Le Gouvernement Impérial du Japon et le Gouvernement Impérial de Russie ayant décidé, au cours des négociations relatives au Traité de commerce et de navigation entre les deux pays et à la Convention de pêche de régler certaines questions consulaires, les soussignés, dûment autorisés, sont tombés d'accord de formuler l'entente survenue à ce sujet comme suit :

1) Le Gouvernement Russe accordera dans les formes usitées l'autorisation d'ouvrir un Consulat Japonais à Wladivostok et un Consulat Japonais à Nikolaïewsk ; (758)

2) Le Gouvernement Japonais accordera de son côté également dans les formes usitées l'autorisation d'ouvrir un Consulat Russe à Tsuruga et un Consulat Russe à Otaru ; (758)

3) Le présent arrangement entrera en vigueur aussitôt après l'échange des ratifications du Traité de commerce et de la Convention de pêche.

En foi de quoi les plénipotentiaires respectifs ont signé et scellé de leurs sceaux le présent Protocole. (758)

Fait à St. Pétersbourg, le vingt huitième jour du septième mois de la quarantième année de Meidji, correspondant au quinze (vingt huit) juillet de l'an mil neuf cent sept.

(Signé) I. MOTONO. (L. S.) (Signé) ISWOLSKY. (L. S.)

St. Pétersbourg, le 28 (15) Juillet 1907.

Monsieur le Plénipotentiaire,

Au moment de procéder à la signature du Traité de commerce et de navigation conclu en date de ce jour entre le Japon et la Russie, j'ai l'honneur de faire au nom du Gouvernement Impérial du Japon la déclaration suivante :

Le Gouvernement Impérial du Japon en proposant au Gouvernement Impérial de Russie de consigner dans les articles séparés du présent Traité les dispositions concernant les relation spéciales entre le Japon et la Corée relativement au commerce, à l'industrie et à la navigation et les dispositions relatives au commerce entre le Japon et les pays voisins de l'Asie orientale, n'a eu aucune manière l'intention de placer la Russie dans une situation autre ou inférieure à celle des autres Puissances.

Dans le cas où le Japon accorderait à la Corée ou aux pays asiatiques voisins du Japon qui se trouvent à l'est du détroit de Malacca, certains avantages concernant les matières contenues dans les dispositions susmentionnées, le même traitement, par rapport à ces avantages, qui serait appliqué par le Japon à toute autre Puissance jouissant de la clause de la nation la plus favorisée, sera également appliqué à la Russie.

Par conséquent les dispositions susmentionnées des articles séparés ne produiront leurs effets pratiques à l'égard de la Russie qu'au moment où ces mêmes dispositions pourront être appliquées aux autres Puissances jouissant au Japon de la clause de la nation la plus favorisée.

Veuillez agréer, Monsieur le Plénipotentiaire, l'assurance de ma haute considération. (758)

(Signé) I. MOTONO.

A Son Excellence Monsieur
ISWOLSKY, Plénipotentiaire de Russie.

St. Pétersbourg, le 15 (28) Juillet 190

Monsieur le Plénipotentiaire,

Au moment de procéder à la signature du traité de commerce et de navigation conclu en date de ce jour entre la Russie et le Japon, j'ai l'honneur de faire au nom du Gouvernement Impérial de Russie la déclaration suivante :

Le Gouvernement Impérial de Russie ayant proposé au Gouvernement Impérial du Japon de reproduire dans les articles séparés du présent traité les

dispositions mentionnées aux premiers cinq articles séparés (de la part Russie), n'a nullement l'intention de placer le Japon dans une situation antre ou inférieure à celle des autres Puissances.

Dans le cas où la Russie accorderait à un pays jouissant de la clause de la nation la plus favorisée certains avantages prévus par les articles susmentionnés, le même traitement, par rapport à ces avantages, sera également appliqué au Japon.

Par conséquent les dispositions de ces articles n'auront leurs effets pratiques à l'égard du Japon qu'autant qu'elles seraient appliquées aux autres Puissances jouissant de la clause de la nation la plus favorisée.

Veuillez agréer, Monsieur le Plénipotentiaire, l'assurance de ma haute considération. (759)

(Signé) ISWOLSKY.

A Son Excellence Monsieur
MOTONO, Plénipotentiaire du Japon.

CONVENTION DE PÊCHE.

Signée à St. Pétersbourg, le 28e jour du 7e mois de la 40e année de Meidji (1907)*; Ratifiée le 9e jour du 9e mois de la 40e année de Meidji* (1907)*; Ratifications échangées à Tokio, le 9e jour du 9e mois de la 40e année de Meidji* (1907)*; et promulguée le 11e jour du 9e mois de la 40e année de Meidji* (1907).

Sa Majesté l'Empereur du Japon et Sa Majesté l'Empereur de toutes les Russies, ayant pour but de conclure une convention de pêche conformément à la disposition de l'Article XI du Traité de paix conclu à Portsmouth le cinquième jour du neuvième mois de la trente huitième année de Meidji, correspondant au vingt trois Août (cinq Septembre) 1905, ont nommé pour Leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon :

Itchiro Motono, Docteur en droit, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de toutes les Russies ; et

Sa Majesté l'Empereur de toutes les Russies :

Le Maître de Sa Cour Alexandre Iswolsky, Ministre des Affaires Etrangères, et

Son Conseiller Privé Constantin Goubastoff, Adjoint du Ministre des Affaires Etrangères ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs trouvés en bonne et due forme, out conclu les Articles suivants :

ARTICLE I.

Le Gouvernement Impérial de Russie concède aux sujets japonais, conformément aux dispositions de la présente Convention, le droit de pêcher, de prendre et de préparer toutes espèces de poissons et produits aquatiques, sauf les phoques à fourrure et les loutres marines, le long des côtes russes des Mers du Japon, d'Okhotsk et de Behring, à l'exception des fleuves et des anses (inlets). Les anses, faisant l'objet de l'exception ci-dessus, se trouvent énumérées dans l'Article I du Protocole ci-annexé. (761)

ARTICLE II.

Les sujets japonais sont autorisés à se livrer à la pêche et à la préparation des poissons et produits aquatiques dans les lots de pêche spécialement destinés à ce but, s'étendant tant en mer que sur les côtes, qui seront vendus à bail aux enchères publiques sans aucune distinction entre les sujets japonais et russes, soit que ce bail soit à long terme, soit qu'il soit à court terme ; les sujets japonais jouiront sous ce rapport des mêmes droits que les sujets russes ayant acquis les lots de pêche dans les régions spécifiées à l'Article I de la présente Convention.

Les dates et les lieux désignés pour ces enchères, ainsi que les détails nécessaires relatifs aux baux des différents lots de pêche à vendre, seront officiellement notifiés au Consul japonais à Vladivostock au moins deux mois avant les enchères.

La pêche des baleines et des morues ainsi que de tous les poissons et produits aquatiques dont la pêche ne peut se faire dans les lots spéciaux est autorisée aux sujets japonais sur des bâtiments de mer munis d'un permis spécial. (761)

ARTICLE III.

Les sujets japonais qui auront acquis à bail des lots de pêche conformément aux dispositions de l'Article II de la présente Convention, auront, dans les limites de ces lots, le droit de faire librement usage des côtes, qui leur ont été concédées pour l'exercice de leur industrie de pêche. Ils pourront y faire des réparations nécessaires à leurs barques et filets, tirer ces derniers à terre et débarquer leurs poissons et produits aquatiques, y saler, sécher, préparer et emmagasiner leurs pêches et cueillettes. Dans ces buts ils auront la liberté d'y construire des bâtiments, magasins, cabanes et sécheries, ou de les déplacer. (761)

ARTICLE IV.

Les sujets japonais et les sujets russes, qui ont acquis des lots de pêche dans les régions spécifiées à l'Article I de la présente Convention, devront être traités sur le pied d'égalité en tout ce qui concerne les impôts ou taxes, qui sont ou seront levés sur le droit de pêche et de préparation des produits de la pêche et le matériel meuble et immeuble nécessaire à cette industrie. (762)

ARTICLE V.

Le Gouvernement Impérial de Russie ne percevra aucuns droits sur les poissons et produits aquatiques pêchés ou pris dans les Provinces du Littoral et de l'Amour, soit que ces poissons et produits aquatiques fussent manufacturés, soit qu'ils ne le fussent pas, lorsqu'ils seront destinés à être exportés au Japon. (762)

ARTICLE VI.

Aucune restriction ne sera établie à l'égard de la nationalité des personnes employées par les sujets japonais dans la pêche ou dans la préparation des poissons et produits aquatiques dans les régions spécifiées à l'Article I de la présente Convention. (762)

ARTICLE VII.

En ce qui concerne le mode de préparation des poissons et produits aquatiques, le Gouvernement Impérial de Russie s'engage à ne pas imposer aux

sujets japonais de restrictions spéciales dont seraient exempts les sujets russes ayant acquis des lots de pêche dans les régions spécifiées à l'Article I de la présente Convention. (762)

ARTICLE VIII.

Les sujets japonais qui auront acquis le droit de pêche pourront se rendre directement soit du Japon aux lieux de pêche, soit des dits lieux au Japon, sur les bâtiments munis d'un certificat délivré au Japon par le Consulat russe compétent, ainsi que d'un certificat de santé délivré par les autorités japonaises.

Les dits bâtiments seront autorisés à transporter, sans impôts ni taxes, d'un lieu de pêche à un autre les personnes et les objets nécessaires à l'industrie de la pêche, ainsi que les produits de pêche et cueillettes ; les bâtiments susmentionnés devront, sous tous les autres rapports, se soumettre aux lois russes de cabotage actuellement en vigueur ou qui seront édictées dans la suite. (763)

ARTICLE IX.

Les sujets japonais et russes, qui auront acquis des lots de pêche dans les régions spécifiées à l'Article I de la présente Convention, seront placés sur le pied d'égalité par rapport aux lois, règlements et ordonnances actuellement en vigueur ou qui seraient édictés à l'avenir concernant le pisciculture et la protection des poissons et des produits aquatiques le contrôle de l'industrie y relatif et toute autre matière se rapportant à la pêche.

Il sera donné connaissance au Gouvernement japonais des lois et règlements nouvellement édictés au moins six mois avant leur mise en application.

Quant aux ordonnances nouvellement établies, connaissance en sera donnée au Consul japonais à Vladivostock au moins deux mois avant leur mise en vigueur. (763)

ARTICLE X.

En ce qui concerne les matières qui ne sont pas spécialement désignées dans la présente Convention, mais qui se rapportent à l'industrie de la pêche dans les régions spécifiées à l'Article I de la dite Convention, les sujets japonais seront traités sur le même pied que les sujets russes qui auront acquis des lots de pêche dans les régions susmentionnées. (763)

ARTICLE XI.

Les sujets japonais pourront se livrer à la préparation des poissons et produits aquatiques dans les lots fonciers qui leur seront loués en dehors des régions spécifiées à l'Article I de la présente Convention, le tout en se soumettant aux lois, règlements et ordonnances qui sont ou qui pourront être en vigueur et applicables à tous les étrangers en Russie. (764)

ARTICLE XII.

Le Gouvernement Impérial du Japon, en considération des droits de pêche accordés par le Gouvernement Impérial de Russie aux sujets japonais en vertu de la présente Convention, s'engage à ne frapper d'aucuns droits d'importation les poissons et produits aquatiques pêchés ou pris dans les Provinces du Littoral et de l'Amour, soit que ces poissons et produits aquatiques fussent manufacturés, soit qu'ils ne le fussent pas. (764)

ARTICLE XIII.

La présente Convention restera en vigueur pendant douze ans. Elle sera renouvelée ou modifiée au bout de tous les douze ans, en vertu d'un accord mutuel entre les deux Hautes Parties Contractantes. (764)

ARTICLE XIV.

La présente Convention sera ratifiée et les ratifications seront échangées à Tokio le plus tôt possible et en tout cas pas plus tard que quatre mois après sa signature. (764)

En foi de quoi les Plénipotentiaires respectifs ont signé et scellé de leurs sceaux la présente Convention.

Fait à Saint Pétersbourg, le vingt huitième jour dn septième mois de la quarantième année de Meidji, correspondant au quinze (vingt huit) Juillet de l'an mil neuf cent sept.

(Signé) I. MOTONO. (L. S.) (Signé) ISWOLSKY. (L. S.)
(Signé) GOUBASTOFF. (L. S.)

PROTOCOLE.

Le Gouvernement de Sa Majesté l'Emperuer du Japon et le Gouvernement de Sa Majesté l'Empereur de toutes les Russies, jugeant nécessaire de régler certaines questions résultant des dispositions de la Convention de Pêche signé en ce jour, leurs Plénipotentiaires respectifs sont convenus des Articles suivants:

ARTICLE 1.

Les anses (inlets), faisant l'objet de l'exception mentionnée dans l'Article I de la Convention de Pêche signée en ce jour, sont les suivantes:

1. Baie Saint Laurent, jusqu'à la ligne droite tirée du cap Pnaugun au cap Kharguilakh.
2. Baie Métchigmé.
3. Baie Koniam (Penkegunei), jusqu'à la ligne droite tirée du cap Netchkhonone au Grab Peek.
4. Baie Abolechev (Kalagan).
5. Baie Roumilet.
6. Baie Providence, jusqu'à la ligne droite tirée du cap Lissovsky au Ball's Head.
7. Baie Sainte Croix, jusqu'au parallèle du cap Meetchken.
8. Baie Anadyr, jusqu'à la ligne droite tirée du cap Saint Basilius au cap Guek.
9. Baie Saint Paul.
10. Schliuptchnaïa Gavane.
11. Lac Tulény.
12. Lac Schestifoutovy.
13. Partie nord du Golfe du baron Korff.
14. Port Karaga.
15. Baie Bétchévinsky.
16. Baie Avatchinsky, jusqu'à la ligne droite tirée du cap Bezimiany au cap Dalny.
17. Golfe Penjineky, jusqu'au parallèle du cap Mamet.
18. Baie du Grand Duc Constantin.

19. Golfe Saint Nicolas, jusqu'à la ligne droite tirée du cap Lamsdorff au cap Groté.

20. Baie Stchastia.

21. Golfe Baikal, jusqu'à la ligne droite tirée du cap Tchaouno au cap Vitovtov.

22. Golfe Nyisky.

23. Golfe Nabilsky.

24. Baie Krestovy.

25. Baie Stark.

26. Baie Vanine, jusqu'à la ligne droite tirée du cap Vessely au cap Bourny.

27. Rade Impériale, jusqu'à la ligne droite tirée du cap Milioutine au cap Poutiatine.

28. Baie Terneï, jusqu'au méridien du cap Strachny.

29. Baie Saint Vladimir, jusqu'à la ligne droite tirée du cap Balusek au cap Vatovsky.

30. Petit inlet situé dans la partie nord-est de la Baie Préobrajénié, jusqu'au méridien du cap Matveïev.

Il va sans dire que l'exception en question ne s'étendra que dans les limites des eaux territoriales russes.

En ce qui concerne les côtes septentrionales de la Mer d'Okhotsk, à partir de l'embouchure du fleuve Podkaguerny jusqu'au Port Ayan, à l'exception du Golfe Penjinsky (v. No. 17), les anses (inlets), devant faire l'objet de l'exception susmentionnée, seront determinées conformément à la définition qui suit : baies dont l'enfoncement dans le continent (la longueur de thalweg) excède la largeur d'entrée plus de trois fois.

La pêche sera, en outre, interdite aux sujets japonais comme aux autres étrangers, pour motifs stratégiques, dans les limites des eaux territoriales des baies suivants :

1. Baie De-Castries avec la Baie de Frédéricksz, jusqu'à la ligne droite tirée du cap Castries au cap Kloster-Kamp et jusqu'à celle tirée du cap Kloster-Kamp au cap Ostry.

2. Baie Sainte Olga, jusqu'à la ligne droite tirée du cap Manevsky au cap Schkott.

3. Baie Pierre le Grand, du cap Povorotny au cap Gamov, y compris les îles se trouvant dans cette baie.

4. Baie Possiet, du cap Gamov au cap Boutakov. (765)

ARTICLE 2.

En ce qui concerne les limites des fleuves par rapport à la mer, les deux Hautes Parties Contractantes se conformeront aux principes et aux usages du droit international. (767)

ARTICLE 3.

Le droit de pêche accordé aux sujets japonais dans le Liman de l'Amour, en vertu de la Convention de Pêche, est soumis aux conditions spéciales suivantes :

1. Les sujets japonais pourront acquérir dans cette région des lots de pêche aux enchères publiques sur le même pied que les sujets russes.

2. Les sujets japonais ayant acquis les lots de pêche sont soumis, sous tous les rapports, relativement à l'industrie de pêche, aux mêmes lois, reglements et ordonnances, qui sont ou qui pourront être édictés pour la pêche fluviale, dans le bassin de l'Amour, que les sujets russes, adjudicataires des lots de pêche eux-mêmes, et en particulier aux dispositions qui détendent aux concessionaires des lots de pêche dans cette région l'emploi des ouvriers étrangers. (767)

ARTICLE 4.

Les sujets japonais pourront, sur leur demande, acquérir aux enchères publiques des lots de pêche n'importe où dans les régions spécifiées à l'Article I de la Convention de Pêche, en se soumettant aux lois, règlements et ordonnances actuellement en vigueur ou qui seront édictés dans la suite, pour l'élevage et la protection des poissons, pour le contrôle de l'industrie y relative et pour toute autre matière concernant la pêche dans les régions susmentionnées. Il va sans dire que les sujets japonais ne seront assujettis à ces lois, règlements et ordonnances qu'autant que ces mêmes lois, règlements et ordonnances seront applicables aux sujets russes eux-mêmes ayant acquis des lots de pêche dans ces régions. (768)

ARTICLE 5.

La dénomination de "sujets russes ayant acquis des lots de pêche" (v.

Articles II, IV, VII, IX et X de la Convention de Pêche et Article 4 du présent Protocole) ne s'applique ni aux colons, ni aux races indigènes jouissant de privilèges spéciaux. (768)

ARTICLE 6.

Il va sans dire que le Gouvernement Impérial de Russie se réserve le droit d'accorder des droits de pêche aux colons qui viendraient s'établir dans les endroits où n'existent pas de lots de pêche au profit des adjudicataires ; il en sera de même pour les races indigènes.

Le Gouvernement Russe s'engage à ne pas accorder, pendant toute la durée de la Convention de Pêche, les dits droits aux colons ou aux races indigènes dans les endroits où des lots de pêche auront été une fois créés.

Il est convenu que la qualité de colon n'est donnée qu'aux individus et leur famille s'adonnant personnellement à la pêche sans avoir recours à des ouvriers. (768)

ARTICLE 7.

Le Gouvernement Impérial de Russie assure pour l'avenir que les lots de pêche déjà existants dans les régions spécifiées à l'Article I de la Convention de Pêche resteront ouverts pendant toute la durée de la dite Convention, à l'exception des lots occupés actuellement par les colons pour leur pêche. (769)

ARTICLE 8.

La durée des concessions de lots de pêche, vendus aux enchères publiques, sera fixée comme suit :

1) Un an, pour les lots qui seront ouverts pour la première fois après la mise en vigueur de la Convention de Pêche.

2) Trois ans, pour les lots qui ont déjà été exploités pendant un an.

3) Trois ans, pour les lots qui ont déjà été exploités pendant la première période de trois ans. (769)

4) Cinq ans, pour les lots qui ont déjà été exploités pendant les deux périodes de trois ans.

ARTICLE 9.

Les baux des lots de pêche, dont le terme n'aura pas encore pris fin au

moment de l'expiration de la période de douze ans mentionnée à l'Article XIII de la Convention de Pêche, continueront à être valables pendant toute la durée du terme fixé dans les baux susmentionnés, quelle que soit la décision qui pourra être prise par les deux Parties Contractantes concernant la Convention elle-même. (769)

ARTICLE. 10.

Le Gouvernement Impérial de Russie n'aura pas d'objection à ce que les sujets japonais fabriquent les engrais de hareng et de plusieurs espèces de poissons tombant par hasard dans les filets avec les harengs lorsqu'ils marchent en banc. Le Gouvernement russe n'aura pas non plus d'objection à ce que les sujets japonais préparent et salent les poissons saumonnés (Рыба Лососевой Породы) à la manière japonaise. (769)

ARTICLE 11.

Le certificat de navigation, pour le parcours du Japon aux pêcheries dans les eaux russes et retour, est délivré par les Consulats russes compétents aux pêcheurs japonais sur la présentation des documents attestant :

1. Le droit de bail du lot (ou des lots), vers lequel le bâtiment veut se rendre ;
2. Le nombre de personnes à bord ;
3. La nature de la cargaison, comme étant uniquement destinée à l'industrie de pêche, et sa quantité.

Le certificat de navigation énumère :

1. Le nom du bâtiment et du port auquel il est inscrit ;
2. Le nom de l'entrepreneur de pêche—titulaire du lot (ou des lots);
3. L'indication exacte du lot (ou des lots) de pêche, vers lequel se rend le bâtiment ;
4. La nature et la quantité de la cargaison ;
5. Le nombre de personnes à bord.

Le bâtiment muni du certificat susmentionné et du certificat de santé est autorisé à entrer et à relâcher seulement sur les points du littoral russe qui sont indiqués dans le certificat. Il va sans dire que les ports où existe une douane sont toujours accessibles au dit bâtiment.

Les bâtiments japonais se rendant dans les eaux russes pour s'y livrer à

la pêche des baleines, des morues etc., en vetru du troisième alinéa de l'Article II de la Convention de Pêche, doivent relâcher préalablement dans un des ports russes spécialement désignés, où les autorités russes compétentes leur délivreront pour cette pêche un permis spécial, qui leur servira, en même temps, de certificat de navigation. (770)

ARTICLE 12.

L'emploi du *tatéami* ordinaire sera autorisé dans tous les lots de pêche occupés par les sujets japonais, sauf dans les lots qui se trouvent dans le voisinage le plus rapproché de l'embouchure des fleuves ; il est convenu en outre que pour ces derniers lots de pêche, l'emploi du *tatéami* ne pourra pas être interdit dans le cas où la pêche au moyen de filets mobiles n'y est pas praticable. (771)

ARTICLE 13.

Il est entendu que l'expression " poissons et produits aquatiques," employée dans la Convention de Pêche et le Protocole y annexé, sera comprise dans le sens de toutes espèces de poissons, animaux, plantes et autres produits aquatiques, sauf les phoques à fourrure et les loutres marines. (771)

ARTICLE 14.

Le présent Protocole sera considéré comme ratifié par la ratification de la Convention de Pêche signée en ce jour ; il aura la même durée qne la dite Convention. (771)

En foi de quoi les Plénipotentiaires des deux Pays ont signé et scellé de leurs sceaux le présent Protocole.

Fait à Saint Pétersbourg en double exemplaire le vingt huitième jour du septième mois de la quarantième année de Meidji, correspondant au quinze (vingt huit) juillet de l'an mil neuf cent sept.

(Signé) I. MOTONO. (L. S.) (Signé) ISWOLSKY. (L. S.)
(Signé) GOUBASTOFF. (L. S.)

PROTOCOLE DE LA CONFÉRENCE EN VUE DE LA CONCLUSION D'UNE CONVENTION DE PÊCHE ENTRE LE JAPON ET LA RUSSIE.

Avant de clore la présente séance (*du 18/5 Juin 1907.*) les Plénipotentiaires du Japon et de Russie ont échangé les déclarations suivantes :

1. En ce qui concerne les côtes septentrionales de la Mer d'Okhotsk, le Gouvernement Impérial de Russie, sans attendre le résultat définitif des levées détaillées de ces côtes, auxquelles on procèdera sans tarder, consent à accorder aux sujets japonais les lots de pêche dans les endroits qui évidemment ne rentrent pas dans la définition convenue du terme " anse " (inlet).

2. En ce qui concerne la défense de l'emploi des ouvriers étrangers dans les lots de pêche du Liman de l'Amour, le Plénipotentiaire de Russie a donné au Plénipotentiaire du Japon l'explication suivante :

Dans les lots de pêche à long terme l'emploi des ouvriers étrangers est interdit tant pour la pêche que pour la préparation des poissons ; mais les possesseurs de ces lots pourront, sur leur demande, acquérir à bail des lots fonciers à court terme dans les endroits se trouvant à une distance d'environ une demi à une verste de leurs lots de pêche. Dans ces lots fonciers, destinés à la préparation des poissons, aucune restriction n'est imposée quant à la nationalité des ouvriers qui y sont employés.

Dans les lots de pêche à court terme, l'emploi des ouvriers étrangers est interdit seulement pour la pêche des poissons elle-même. Mais il est permis d'employer, à terre, pour la préparation des poissons, des ouvriers de toutes les nationalités sans aucune distinction.

Il va sans dire que dans les lots à long terme comme dans les lots à court terme les dites restrictions relatives à la nationalité ne s'appliquent pas aux personnes qui ne rentrent pas dans la catégorie des ouvriers, tels que les préposés-surveillants, commis, etc.

3. Il est entendu que l'expression de " baux à court terme " ne s'applique qu'aux baux dont le terme ne dépasse pas un an.

4. Il est convenu que les lots de pêche se trouvant dans les régions spécifiées à l'Article I de la Convention de Pêche et loués à bail à long terme

avant la mise en vigueur de la dite Convention seront également loués à long terme immédiatement après la mise en vigueur de la même Convention.

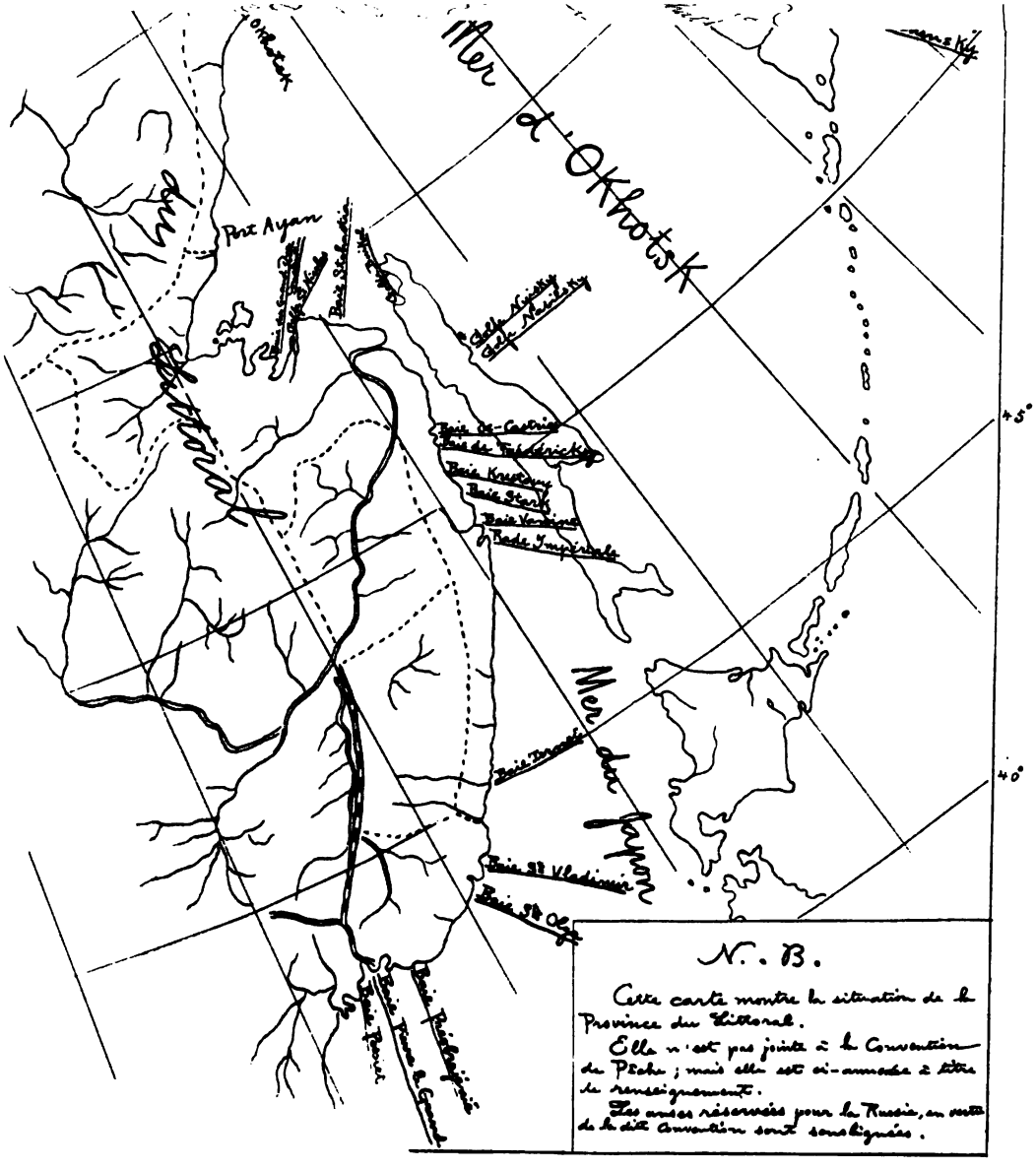
5. Tous les bâtiments à vapeur japonais naviguant dans les eaux russes pour s'y livrer à l'industrie de la pêche doivent être munis d'un livre de bord en traduction russe ou anglaise. Quant aux bâtiments à voile japonais naviguant dans les eaux russes pour l'industrie de la pêche, ils se conformeront à la disposition ci-dessus autant qu'il leur sera possible.

6. Les principes posés dans l'Article XI de la Convention de Pêche ayant été établis, le Plénipotentiaire du Japon a exprimé l'espoir que le Gouvernement Impérial de Russie, en imposant aux sujets japonais les restrictions qui pourraient découler de l'application de cet Article, ne sera guidé que par des considérations d'ordre public et tâchera de les réduire autant que faire se pourra. Le Plénipotentiaire russe lui a répondu qu'il partageait cette manière de voir et que l'intention du Gouvernement russe était d'établir, pour tous les ressortissants étrangers se livrant à l'industrie mentionnée dans le dit Article, le régime qui existe déjà dans la région de Nicolaïewsk (l'embouchure de l'Amour et le Liman), en se réservant cependant de ne pas l'étendre aux localités où la surveillance est difficile.

7. Le Plénipotentiaire du Japon prenant acte de l'acceptation définitive par le Plénipotentiaire de Russie de la rédaction de l'Article V par lequel le Gouvernement russe s'engage à ne percevoir aucun droit, impôt ou taxe, sous quelque dénomination que ce soit, sur les poissons et produits aquatiques pêchés ou pris dans les eaux russes des Provinces du Littoral et de l'Amour et destinés à être exportés au Japon, que ces poissons et produits aquatiques fussent manufacturés ou ne le fussent pas, déclare que son Gouvernement, de son côté, ne percevra, non seulement les droits d'importation mentionnés dans l'Article XII, mais aucun droit, impôt ou taxe, sous quelque dénomination que ce soit, sur les poissons et produits aquatiques pêchés ou pris dans les eaux russes des Provinces du Littoral et de l'Amour et importés au Japon, que ces poissons et produits aquatiques fussent manufacturés ou ne le fussent pas.

8. Pour éviter toute cause de malentendu à l'avenir relativement à certaines anses faisant l'objet de l'exception mentionnée à l'Article I de la Convention de Pêche, la carte ci-jointe donnant les limites exactes des dites anses a été annexée aux présents Protocoles. (772)

55°
Mer de Behring
Baie Providence
Baie St Croix
Baie Awatscha
Baie St Pierre
Schlioupetschnaia Gavanne
Isle Tulenyi
Isle Scherstopetowy
Golfe du baron Kraft
Kamtchatka
Golfe Penschinsk
Prov

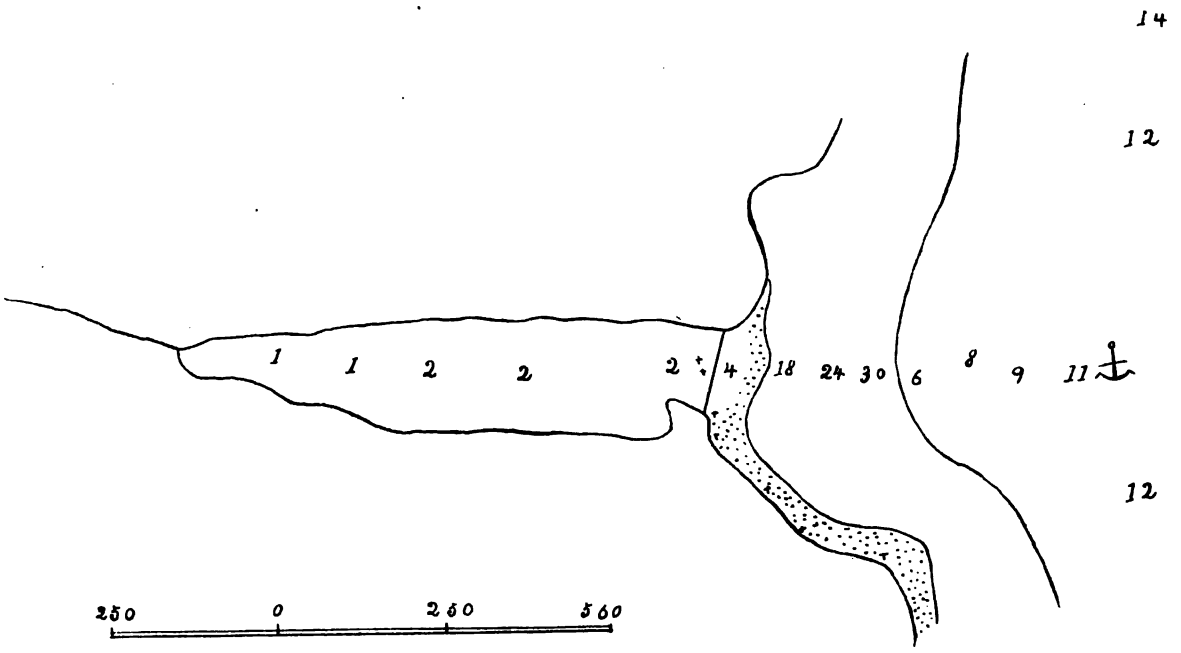


N. B.

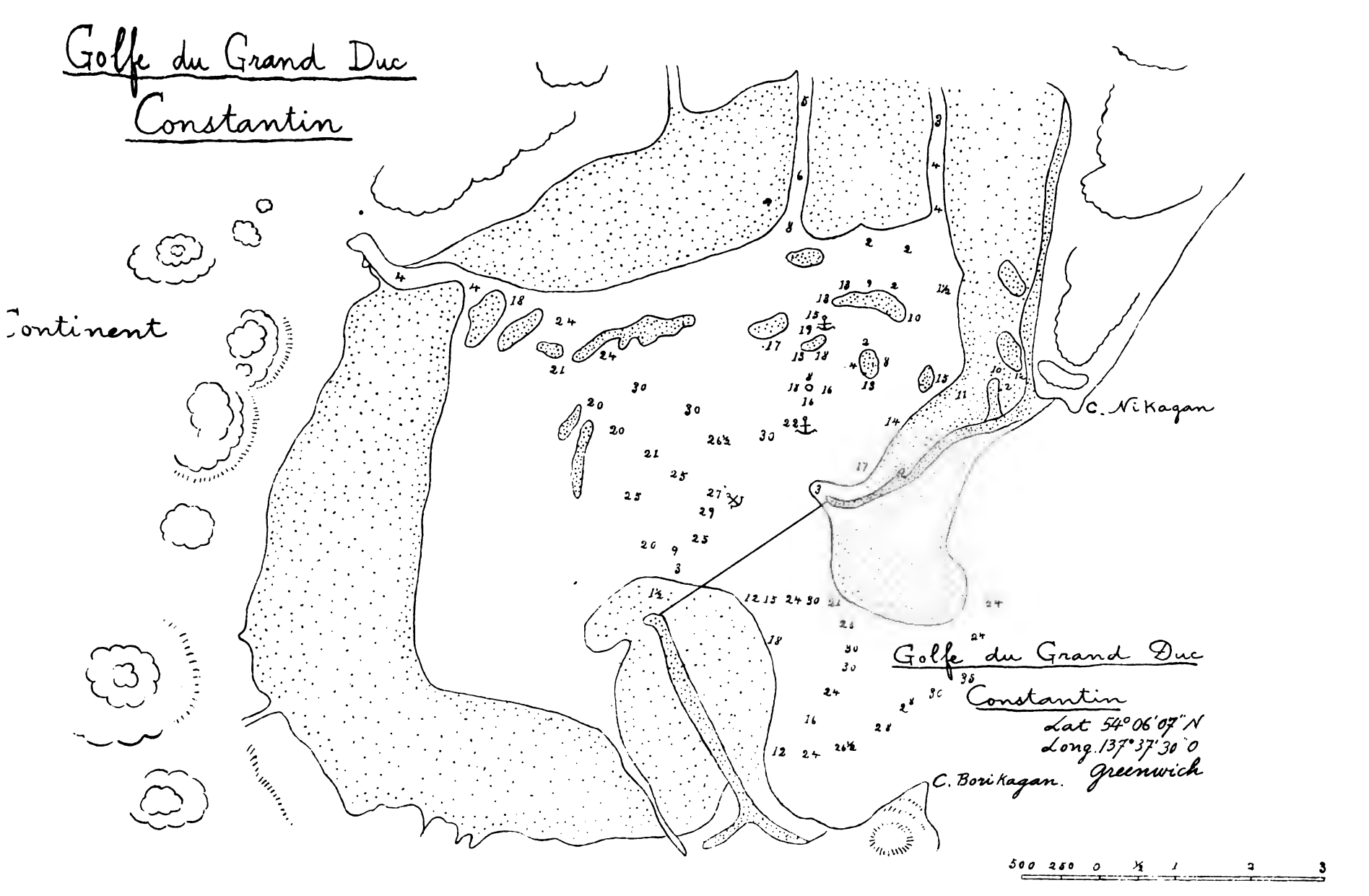
Cette carte montre la situation de la Province du Littoral.

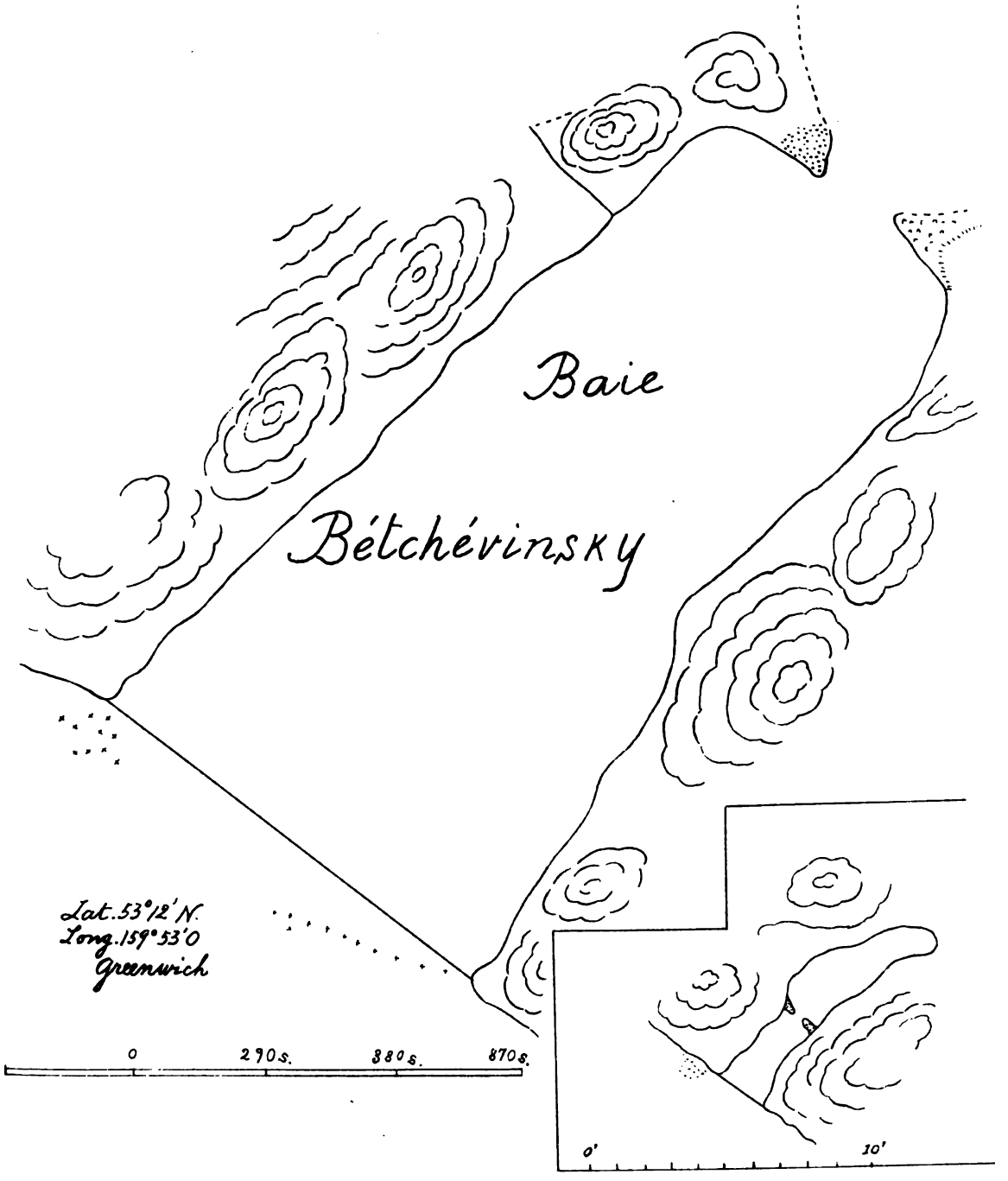
Elle n'est pas jointe à la Convention de Pêche ; mais elle est ci-annexée à titre de renseignement.

Les mers réservées pour la Russie, en vertu de la dite Convention sont soulignées.

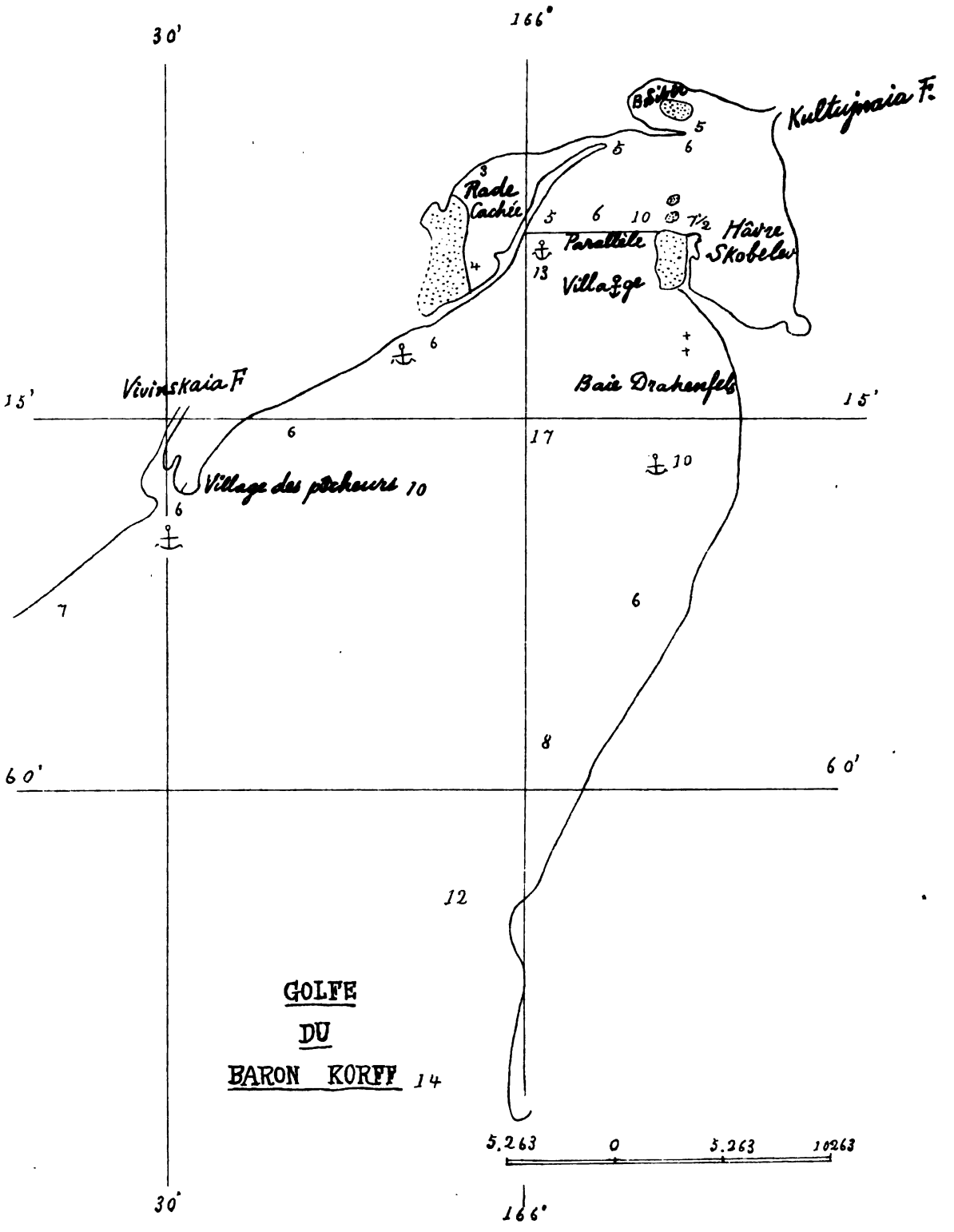


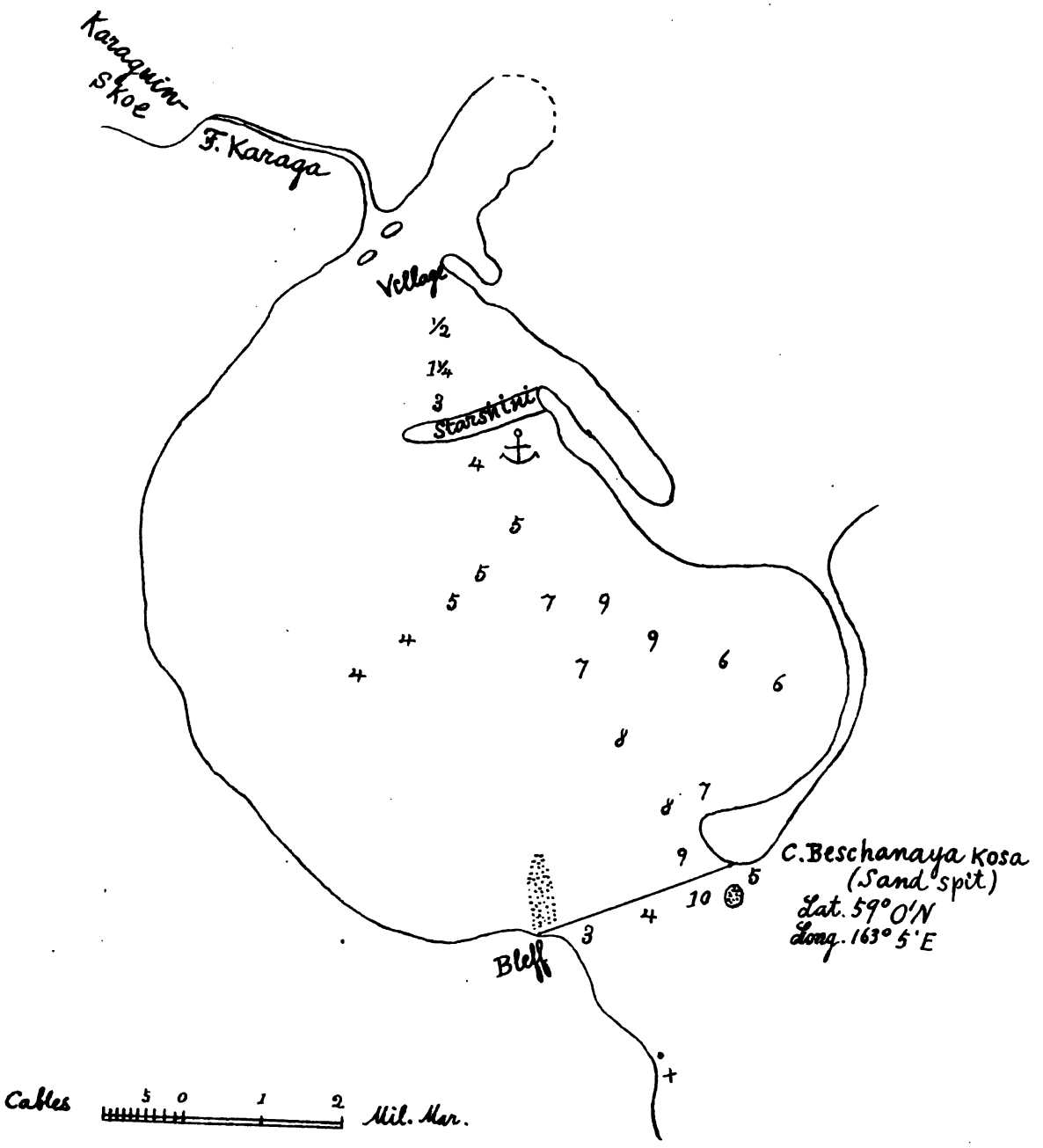
Baie de Sainte Croix. (Krestovaia)


Golfe du Grand Duc
Constantin
Continent
C. Nikagan
Golfe du Grand Duc
Constantin
Lat 54°06'07" N
Long. 137°37'30" O
Greenwich
C. Boni Kagan.
500 250 0 ½ 1 2 3

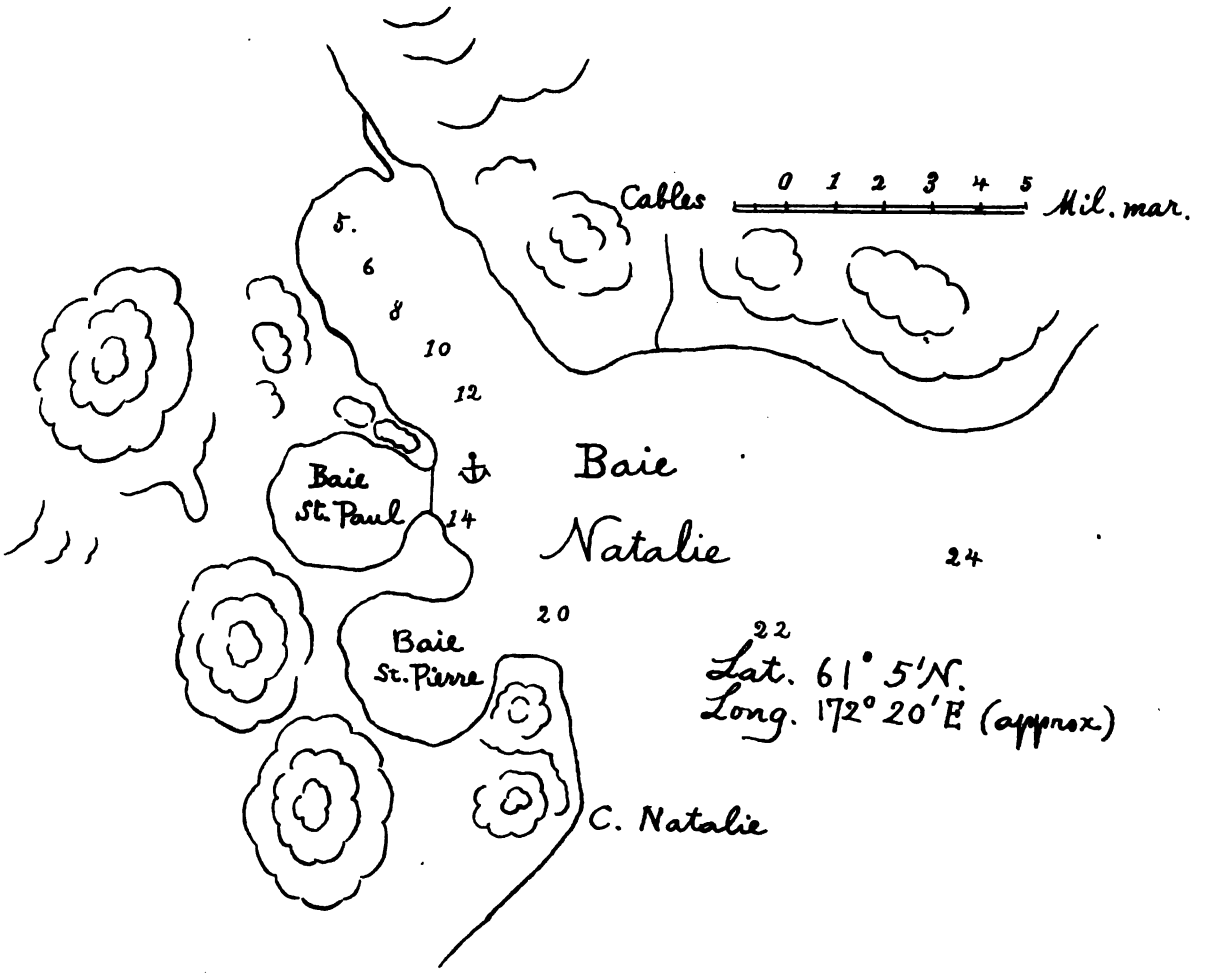


BAIE BÉTCHÉVINSKY.

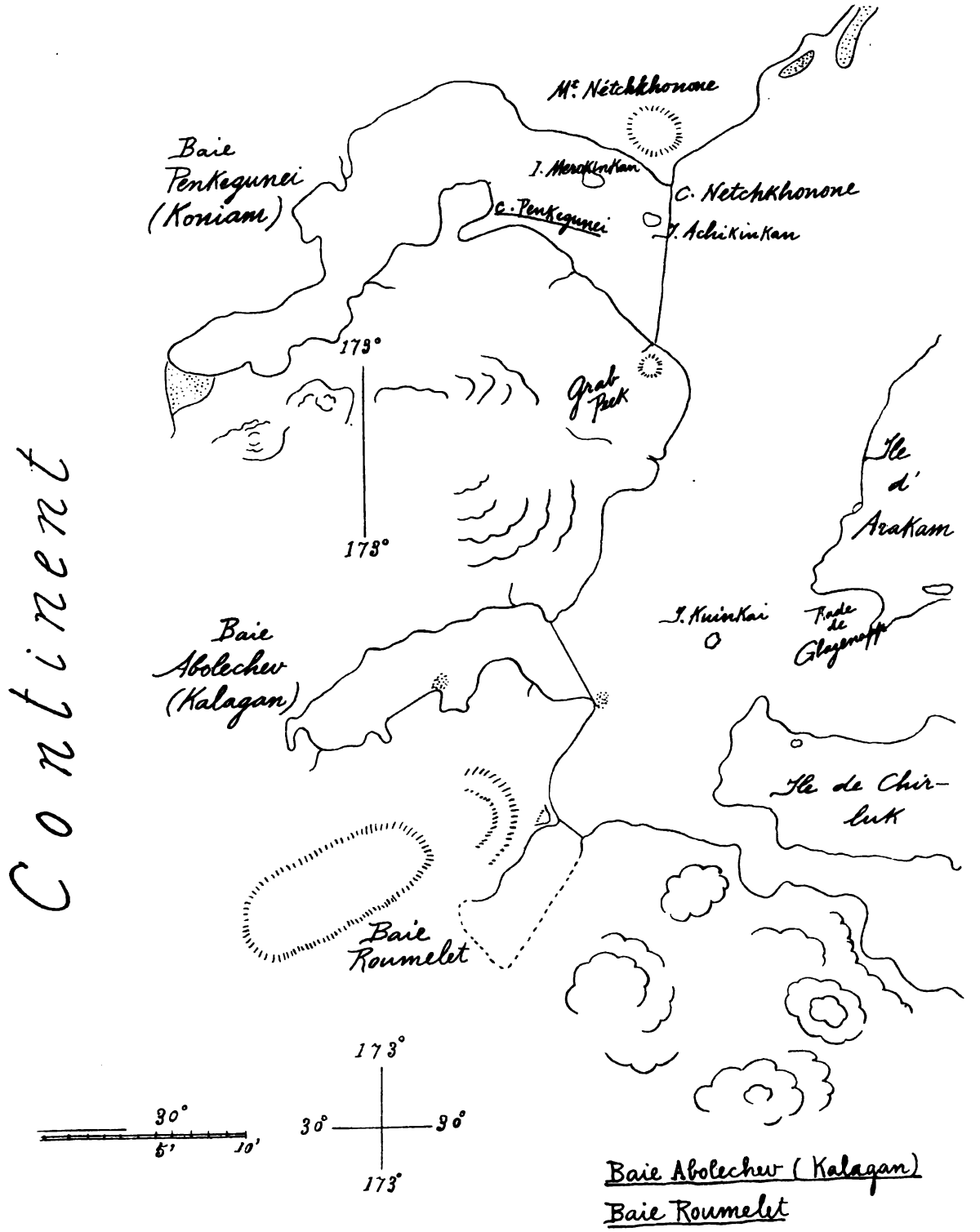

30'
166°
Kultujnaia F.
5
6
3
Rade Cachée
5
6
10
7½
Hâvre Skobelev
Parallèle
13
Village
6
Vivinskaia F
Baie Drahenfels
15'
15'
6
17
Village des pêcheurs 10
10
6
7
6
8
60'
60'
12
GOLFE
DU
BARON KORFF 14
5.263
0
5.263
10263
30'
166°

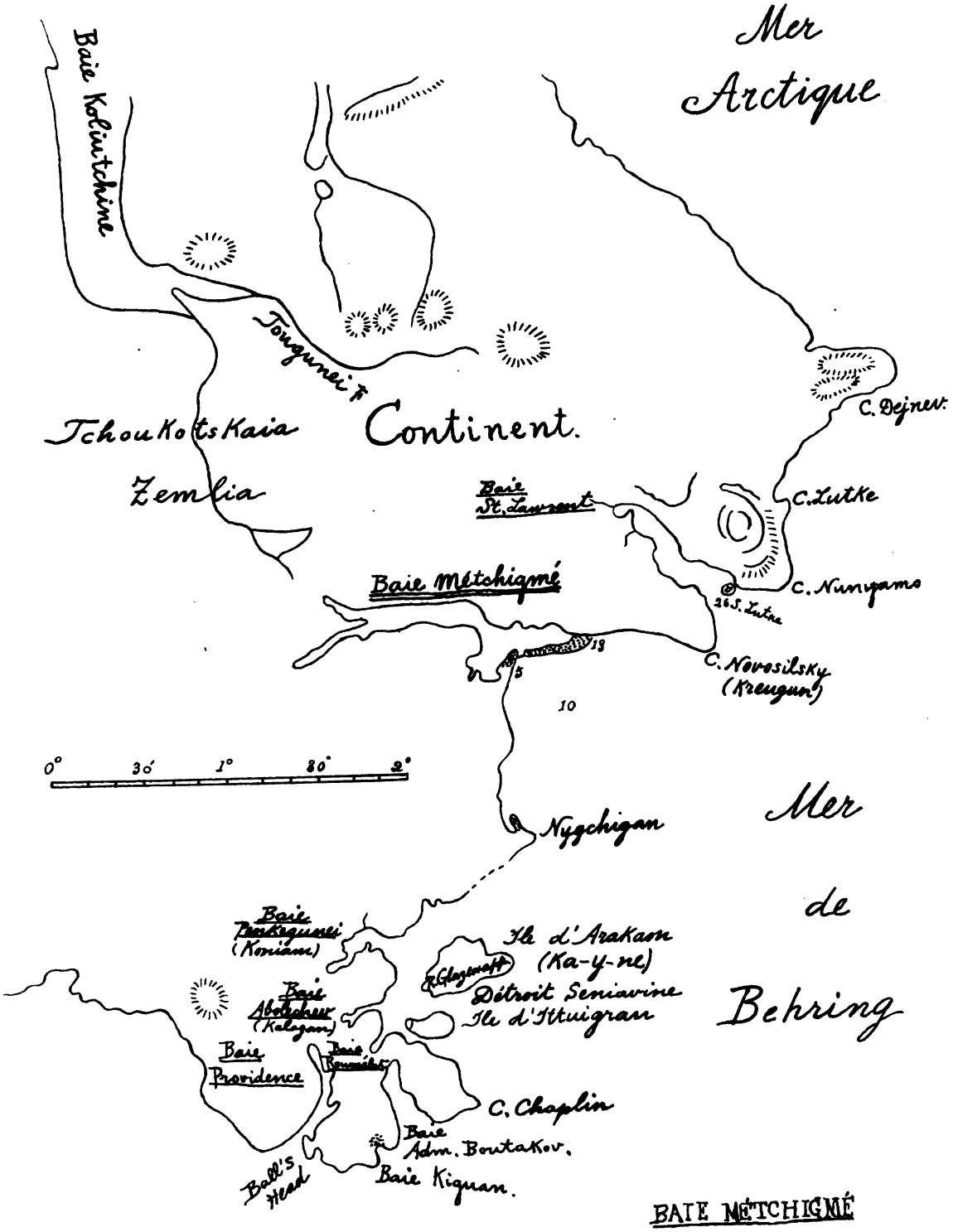

Karaginskoe
R. Karaga
Village
½
1¼
3
Starshini
4
5
5
5
7
9
4
4
7
9
6
6
8
8
7
9
5
10
4
3
C. Beschanaya Kosa
(Sand spit)
Lat. 59° 0' N
Long. 163° 5' E
Bluff
Cables
5 0 1 2
Mil. Mar.

PORT KARAGA



BAIE DE SAINT PAUL


Continent
Mt. Nétchkhonone
Baie Penkegunei (Koniam)
I. Merakkinkan
C. Netchkhonone
C. Penkegunei
I. Achikinkan
179°
Grab Peak
173°
Ile d' Arakam
I. Kuinkai
Rade de Glazenapp
Baie Abolechev (Kalagan)
Ile de Chirluk
Baie Roumelet
173°
30°
30°
30°
5'
10'
173°
Baie Abolechev (Kalagan)
Baie Roumelet



BAIE MÉTCHIGMÉ

CONVENTION PROVISOIRE CONCERNANT LE SERVICE DE RACCORDEMENT DES CHEMINS DE FER JAPONAIS ET RUSSES EN MANCHOURIE.

Signée à St. Pétersbourg, le 13e jour du 6e mois de la 40e année de Meidji (1907); *Publiée le 3e jour du 8e mois de la 40e année de Meidji* (1907).

Le Gouvernement Impérial du Japon et le Gouvernement Impérial de Russie, ayant résolu de conclure une Convention concernant le service de raccordement des chemins de fer japonais et russes en Manchourie, conformément aux dispositions de l'Article VIII du Traité de Paix signé entre eux à Portsmouth le $\frac{\text{5 Septembre}}{\text{23 Août}}$ 1905, les soussignés, Itchiro Motono, Docteur en Droit, Envoyé Extraordinaire et Ministre plénipotentiaire du Japon, Maître de la Cour Impériale Alexandre Iswolsky, Ministre desAffaires Etrangères de Russie, dûment autorisés à cet effet par leurs Gouvernements respectifs, ont arrêté d'un commun accord, à titre provisoire, les articles suivants.

Pour celles des dispositions dans cette Convention qui concernent la Compagnie du chemin de fer Sud Manchourien, d'une part, et la Compagnie du chemin de fer chinois de l'Est, de l'autre, les deux Gouvernements s'engagent mutuellement à prendre les mesures nécessaires pour assurer leur exécution ponctuelle par les dites Compagnies.

ARTICLE I.

La jonction des sections des deux chemins de fer se fera sur la ligne limitrophe de la station de Kouantchentsy du chemin de fer chinois de l'Est. La Compagnie du chemin de fer Sud Manchourien prolongera sa ligne à voie de la largeur adoptée par ce chemin de fer, de la station de Tchantchoun du dit chemin de fer jusqu' à la limite de la station de Kouantchentsy du chemin de de fer Chinois de l'Est, et la Compagnie du chemin de fer chinois de l'Est construira une ligne de la même largeur en continuation du prolongement de la

ligne japonaise construite par la Compagnie du chemin de fer Sud Manchourien jusqu'au quai de la station russe de Kouantchentsy. La Compagnie du chemin de fer Chinois de l'Est construira, en prolongement de Sa ligne, un chemin de fer à voie large de 1 mètre 524 (voie russe de 5 pieds anglais) partant du quai de la station russe de Kouantchentsy jusqu'à la limite de cette station, et la Compagnie du chemin de fer Sud Manchourien construira une ligne de la même largeur en continuation du prolongement du chemin de fer russe construit par la Compagnie du chemin de fer Chinois de l'Est jusqu'au quai de la station japonaise de Tchantchoun.

Le point de jonction des deux sections des chemins de fer japonais et russes et les plans de cette jonction seront arrêtés d'un commun accord entre les deux Compagnies. (775)

ARTICLE II.

La Compagnie du chemin de fer Sud Manchourien, ainsi que la Compagnie du chemin de fer Chinois de l'Est établiront, outre la jonction de leurs lignes, une communication directe des passagers et des marchandises, ainsi que toutes les installations nécessaires pour effectuer, avec la moindre perte de temps et aux moindres frais possibles, le transbordement des marchandises aux stations terminales rendu nécessaires par la différence de largeur de la voie.

Chacune des Compagnies se réserve le droit d'arrêter les plans de construction dans la limite de son propre terrain. (776)

ARTICLE III.

Chacune des deux Compagnies prendra à sa charge tous les travaux mentionnés dans les articles I et II de la présente Convention qui leur reviennent respectivement, et ces travaux seront achevés par les Compagnies dans le plus bref délai possible et simultanément, autant que faire se pourra. (776)

ARTICLE IV.

L'entretien des voies, des installations de transmission et de transbordement et des autres dépendances sur le terrain de chaque chemin de fer sera respectivement à la charge des Compagnies. (776)

ARTICLE V.

Le trafic entre le chemin de fer Sud Manchourien et le chemin de fer Chinois de l'Est sera établi conformément aux conditions suivantes :

Les trains de voyageurs du chemin de fer Sud Manchourien avec les passagers, leurs bagages et autres objets transportés par ces trains suivront la voie japonaise jusqu'à la station russe de Kouantchentsy, et les trains de voyageurs du chemin de fer Chinois de l'Est avec les passagers, leurs bagages et autres objets transportés par ces trains suivant la voie russe jusqu'à la station japonaise de Tchantchoun.

Les trains du chemin de fer Sud Manchourien chargés de marchandises à destination de la ligne Chinoise de l'Est arriveront sur la voie japonaise jusqu'à la station russe de Kouantchentsy, où s'effectueront la remise et le transbordement de ces manchandises au chemin de fer russe, et les trains du chemin de fer chinois de l'Est chargés de marchandises à destination de la ligne Sud Manchourienne arriveront sur la voie russe jusqu'à la station japonaise de Tchantchoun, où s'effectueront la remise et le transbordement de ces marchandises au chemin de fer japonais. (776)

ARTICLE VI.

Les horaires du mouvement des trains, en vue du raccordement des deux chemins de fer, seront arrêtés d'un commun accord par les administrations des deux Compagnies de chemin de fer. (777)

ARTICLE VII.

Les taxes de voyageurs et des marchandises pour le parcours entre les deux stations terminales seront perçues : dans la direction du Sud au nord, conformément aux tarifs en vigueur pour la ligne du chemin de fer Sud Manchourien, et dans la direction du nord au Sud, conformément aux tarifs en vigueur pour la ligne du chemin de fer Chinois de l'Est.

La répartition des sommes perçues pour le transport sur les lignes des deux Compagnies sera faite d'après un accord conclu entre les administrations des deux Compagnies. (777)

ARTICLE VIII.

Chacune des deux Compagnies jouira à titre gratuit et réciproque de la

ligne de raccordement et des installations affectées au service de transbordement appartenant à l'autre. (777)

ARTICLE IX.

Les deux Compagnies de chemin de fer organiseront un service de trains mutuellement coordonné et suffisant pour assurer le trafic régulier des voyageurs et des marchandises et établiront des règlements et dispositions pour le service de l'exploitation, en tout conformes aux intérêts de ce service. (777)

ARTICLE X.

Toutes les dispositions ultérieures découlant de la présente Convention et concernant le service des trains, le transport des voyageurs, le transbordement des marchandises et le service des signaux etc., seront réglés par un arrangement spécial entre les deux Compagnies, dûment approuvé par les Gouvernements respectifs. L'usage mutuel des moyens de transport, les relations entre le personnel des deux chemins de fer, ainsi que le mode de fixation de la quote-part afférente à chaque administration dans la répartition des recettes seront réglés ultérieurement par des arrangements semblables. (777)

ARTICLE XI.

Dans tous les cas, où les administrations des deux chemins de fer ne pourront s'entendre sur les points prévus par la présente Convention ou en général sur tous les autres points concernant leurs relations réciproques mentionnées dans cet acte, les différends seront réglés par décision des deux Gouvernements respectifs prise en commun après un échange de vues entre eux à ce sujet. (778)

En foi de quoi l'Envoyé Extraordinaire et Ministre Plénipotentiaire du Japon et le Ministre des Affaires Etrangères de Russie ont signé la présente Convention provisoire et y ont apposé leurs sceaux.

Fait à St. Pétersbourg en double exemplaire le treizième jour du sixième mois de la quarantième année de Meidji, correspondant au 31 Mai/13 Juin 1907. (778)

(L. S.) MOTONO. (L. S.) ISWOLSKY.

ARTICLES ADDITIONNELES.

1. Le Gouvernement Impérial Japonais et le Gouvernement Impérial Russe désirant établir une communication directe des voyageurs et des marchandises sur les différentes lignes de chemin de fer japonaises et russes s'engagent à faciliter la conclusion, dans le plus bref délai possible, d'un arrangement spécial à cet effet. (778)

2. Les soussignés, Itchiro Motono, Envoyé Extraordinaire et Ministre Plénipotentiaire du Japon, et Alexandre Iswolsky, Ministre des Affaires Etrangères de Russie étant tombés d'accord pour l'adoption de l'Article V de la Convention provisoire du service de raccordement des chemins de fer, en attendant la construction de la ligne de chemin de fer de Tchantchoun à Girin, il est entendu entre le deux Hautes Parties Contractantes que lorsque ladite ligne sera construite, le transfert des voyageurs venant du nord par le chemin de fer Chinois de l'Est et se rendant soit dans la direction de Girin, soit dans la direction de Taïren, ainsi que le transfert des voyageurs venant soit par la ligne de Girin, soit par la ligne du Sud Manchourien et se rendant dans la direction du nord se feront à la station japonaise de Tchantchoun. A cet effet un arrangement spécial sera conclu ultérieurement entre les Compagnies intéressées. (778)

3. En vue de faire fonctionner le raccordement des chemins de fer en Manchourie, avant même l'achèvement des travaux prévus dans la Convention provisoire signée ce jour, la Compagnie du chemin de fer Sud Manchourien construira une station provisoire à proximité de la station russe de Kouantchentsy, et les deux Compagnies établiront, chacune de son côté, les installations nécessaires pour la transmission des voyageurs, colis, bagages et autres objets transportés par les trains de voyageurs et le transbordement des marchandises entre la station provisoire japonaise et la station russe de Kouantchentsy. (779)

Fait à St. Pétersbourg en double exemplaire le treizième jour du sixième moïs de la quarantième année de Meiji, correspondant au 31 Mai/13 Juin 1907.

I. MOTONO. ISWOLSKY.

PROTOCOLE.

Au moment de procéder à la signature de la Convention provisoire du raccordement des chemins de fer japonais et russes en Manchourie, les deux Hautes Parties Contractantes jugeant utile de régler certaines questions relatives à la gare de Kouantchentsy et aux mines de houille de Chybélin et de Taotsiatun, les soussignés, Itchiro Motono, Docteur en Droit, Envoyé Extraordinaire et Ministre Plénipotentiaire du Japon et le Maître de la Cour Impériale Alexandre Iswolsky, Ministre des Affaires Etrangères de Russie, ont arrêté ce qui suit :

ARTICLE I.

Il a été entendu entre les deux Hautes Parties Contractantes qu'en principe la gare de Kouantchentsy et ses dépendances étaient la propriété commune du Japon et de la Russie, mais que, par suite de convenances pratiques, la propriété exclusive de la dite gare et de ses dépendances resterait à la Russie et que par contre le Gouvernement Russe paierait au Gouvernement Japonais la somme de cinq cent soixante mille trois cent quatre vingt treize roubles à titre de dédommagement de la renonciation par le Japon à ses droits de copropriété sur la gare de Kouantchentsy et ses dépendances. (780)

ARTICLE II.

Le Gouvernement Russe remettra au Gouvernement Japonais, dans le plus bref délai possible, après la signature de la Convention provisoire du raccordement des chemins de fer, dans leur état actuel, toutes les voies ferrées et tous les objets dépendant de ces voies qui se trouvent au Sud du point marqué No 2223 au plan ci-annexé, ainsi que les mines de houille à Chybélin et Taotsiatun avec toutes leurs dépendances. Aussitôt après la signature de la dite Convention, les instructions nécessaires seront envoyées par les deux Gouvernements du Japon et de Russie, d'une part, à la Compagnie du chemin de fer Sud Manchourien, et de l'autre, à la Compagnie du chemin de fer Chinois de l'Est, à l'effet de procéder au transfert des dites voies ferrées et des objets dépendant de ces voies ainsi que des mines de houille susmentionnées. (780)

ARTICLE III.

Il est entendu entre les deux Hautes Parties Contractantes que le Gouvernement Japonais choisira ultérieurement un emplacement, où sera construite la gare japonaise de Kouantchentsy et la ville de Tchantchoun.

En cas de construction de la ligne de chemin de fer sur Girin, le Gouvernement Japonais s'emploiera à faire construire par la Compagnie de ce chemin de fer, en dehors des limites de la gare de Tchantchoun, des passages à niveau ou des viaducs aux points de croisement de la dite ligne et des routes principales entre la station russe de Kouantchentsy et la ville de Tchantchoun. (780)

ARTICLE IV.

Le règlement détaillé relatif au transbordement des passagers et des marchandises d'un chemin de fer à l'autre qui doit être conclu entre les deux Compagnies de chemin de fer, japonaise et russe, sera discuté et arrêté entre ces Compagnies intéressées, dans le plus bref délai possible, après la signature de la Convention provisoire du raccordement des chemins de fer. Quant au lieu et à la date de la réunion des Délégués respectifs à ce sujet, ils seront déterminés ultérieurement à la façon qui conviendra le mieux aux deux Parties. (780)

ARTICLE V.

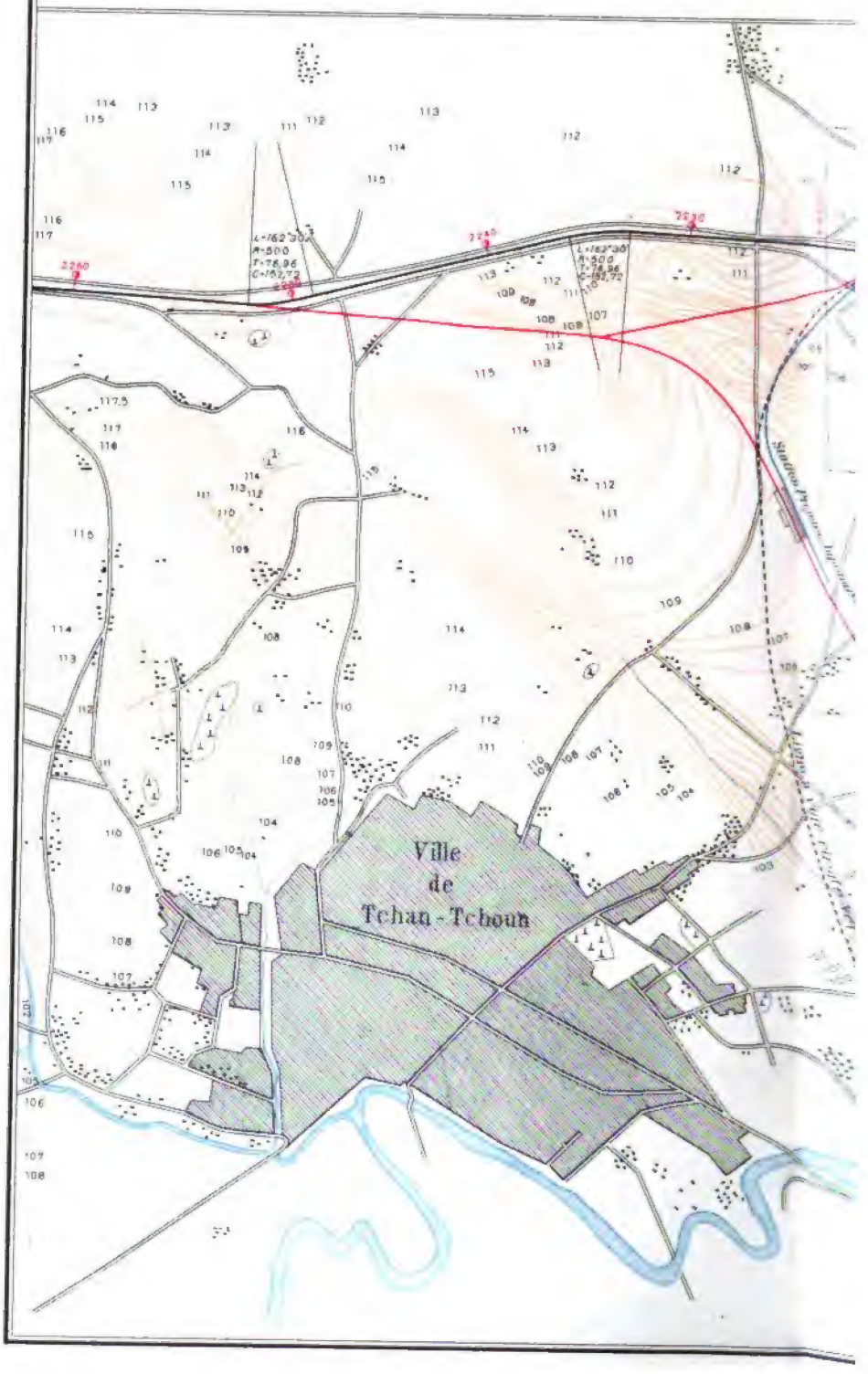
Il est convenu entre les deux Hautes Parties Contractantes que la Convention signée en date de ce jour entrera en vigueur aussitôt après que la construction de la station provisoire japonaise mentionnée à l'article 3 des articles additionnels de la dite Convention aura été achevée. (781)

En foi de quoi l'Envoyé Extraordinaire et Ministre Plénipotentiaire du Japon et le Ministre des Affaires Etrangères de Russie ont signé et scellé de leurs sceaux le présent Protocole.

le treizième jour du sixième mois de la quarantième année de Meiji, correspondant au 31 Mai/13 Juin 1907.

(L. S.) I. MOTONO. (L. S.) ISWOLSKY.

Plan des en
de la station Kouan



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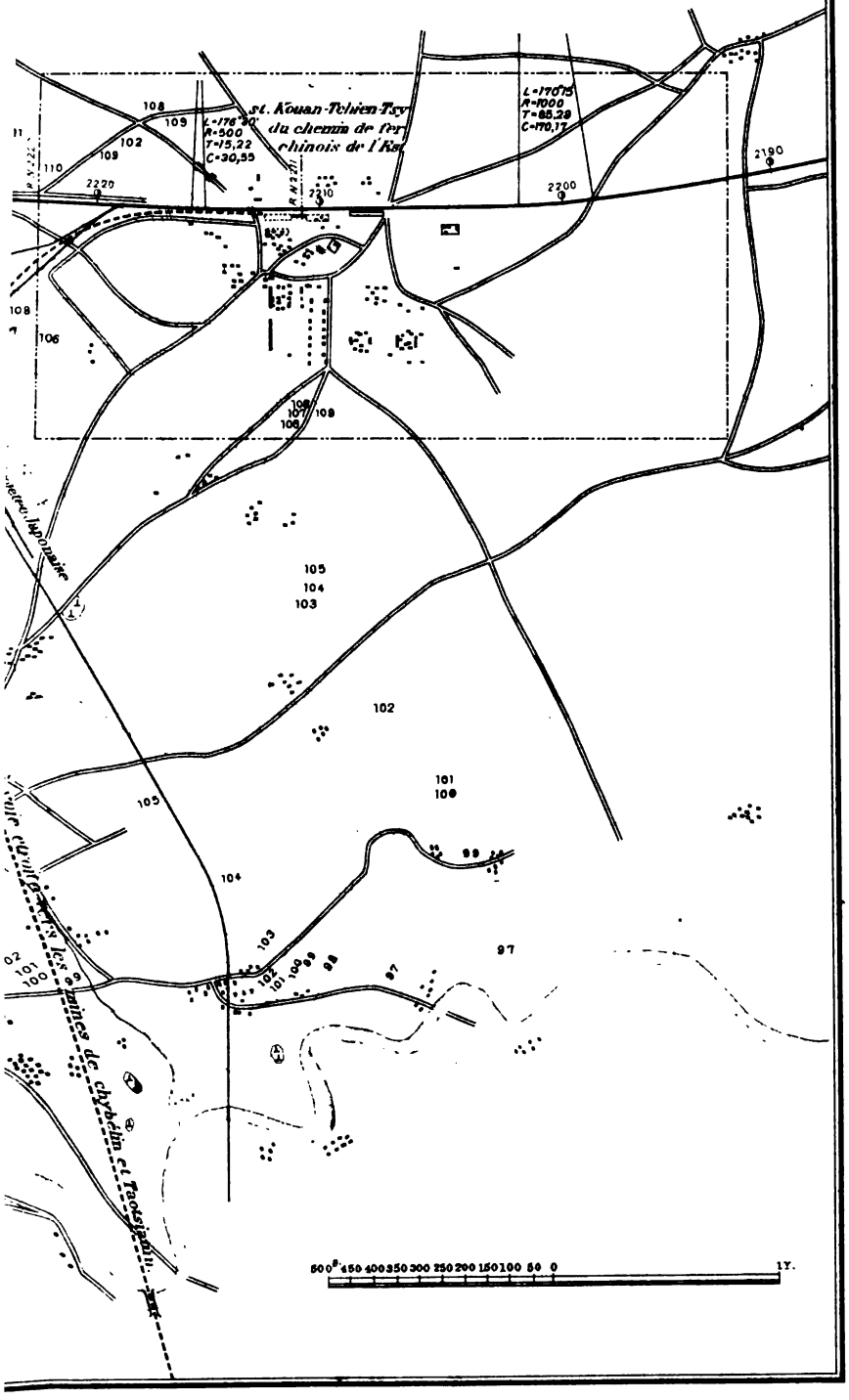

TRAITÉ DE PAIX.

Signé à Portsmouth, le 5e jour du 9e mois de la 38e année de Meiji (1905); *Ratifié le 14e jour du 10e mois de la 38e année de Meiji* (1905); *Ratification notifiée le 15e jour du 10e mois de la 38e année de Meiji* (1905); *Ratifications échangées à Washington le 25e jour du 11e mois de la 38e année de Meiji* (1905).

Sa Majesté l'Empereur du Japon, d'une part, et Sa Majesté l'Empereur de toutes les Russies, d'autre part, étant animés du désir de rétablir les bienfaits de la paix pour Leurs pays et pour Leurs peuples, ont décidé de conclure un traité de paix et ont nommé à cet effet Leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon :

Son Excellence le Baron Komura Jutaro, Jusammi, Grand Cordon de l'Ordre Impérial du Soleil Levant, Son Ministre des Affaires Etrangères ; et

Son Excellence M. Takahira Kogoro, Jusammi, Grand Cordon de l'Ordre Impérial du Trésor Sacré, Son Envoyé Extraordinaire et Ministre Plénipotentiaire auprès des Etats Unis d'Amérique ;

et Sa Majesté l'Empereur de toutes les Russies :

Son Excellence M. Serge Witte, Son Secrétaire d'Etat et Président du Comité des Ministres de l'Empire de Russie ; et

TREATY OF PEACE.

Signed at Portsmouth, 5th day of 9th month, 38th year of Meiji (1905); *Ratified 14th day of 10th month, 38th year of Meiji* (1905); *Notified 15th day of 10th month, 38th year of Meiji* (1905); *Promulgated 16th day of 10th month, 38th year of Meiji* (1905); *Exchanged at Washington, 25th day of 11th month, 38th year of Meiji* (1905).

His Majesty the Emperor of Japan on the one part, and His Majesty the Emperor of all the Russias on the other part, animated by the desire to restore the blessings of peace to Their countries and peoples, have resolved to conclude a Treaty of Peace, and have, for this purpose, named Their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japon :

His Excellency Baron Komura Jutaro, Jusammi, Grand Cordon of the Imperial Order of the Rising Sun, His Minister for Foreign Affairs, and

His Excellency M. Takahira Kogoro, Jusammi, Grand Cordon of the Imperial Order of the Sacred Treasure, His Envoy Extraordinary and Minister Plenipotentiary to the United States of America ;

and His Majesty the Emperor of all the Russias :

His Excellency M. Serge Witte, His Secretary of State and President of the Committee of Ministers of the Empire of Russia, and

Son Excellence le Baron Roman Rosen, Maître de la Cour Impériale de Russie et Son Ambassadeur Extraordinaire et Plénipotentiaire auprès des Etats Unis d'Amérique ;

Lesquels, après avoir échangé leurs pleins pouvoires, trouvés en bonne et due forme, ont conclu les Articles suivants :

ARTICLE I.

Il y aura à l'avenir paix et amitié entre Leurs Majestés l'Empereur du Japon et l'Empereur de toutes les Russies, ainsi qu'entre Leurs Etats et sujets respectifs. (783)

ARTICLE II.

Le Gouvernement Impérial de Russie, reconnaissant que le Japon possède en Corée des intérêts prédominants politiques, militaires et économiques, s'engage à ne point intervenir ni mettre d'obstacles aux mesures de direction, de protection et de contrôle que le Gouvernement Impérial du Japon pourrait considérer nécessaire de prendre en Corée.

Il est entendu que les sujets russes en Corée seront traités exactement de la même manière que les ressortissants des autres pays étrangers, à savoir qu'ils seront placés sur le même pied que les ressortissants de la nation la plus favorisée.

His Excellency Baron Roman Rosen, Master of the Imperial Court of Russia and His Ambassador Extraordinary and Plenipotentiary to the United States of America ;

Who, after having exchanged their full powers which were found to be in good and due form, have concluded the following Articles :

ARTICLE I.

There shall henceforth be peace and amity between Their Majesties the Emperor of Japan and the Emperor of all the Russias and between Their respective States and subjects. (783)

ARTICLE II.

The Imperial Russian Government, acknowledging that Japan possesses in Corea paramount political, military and economical interests, engage neither to obstruct nor interfere with the measures of guidance, protection and control which the Imperial Government of Japan may find it necessary to take in Corea.

It is understood that Russian subjects in Corea shall be treated exactly in the same manner as the subjects or citizens of other foreign Powers, that is to say, they shall be placed on the same footing as the subjects or citizens of the most favoured nation.

Il est de même convenu que pour éviter toute cause de malentendu, les deux Hautes Parties Contractantes s'abstiendront, sur la frontière russo-coréenne, de prendre toute mesure militaire qui pourrait menacer la sécurité du territoire russe ou coréen. (783)

ARTICLE III.

Le Japon et la Russie s'engagent mutuellement :

1.—A évacuer complètement et simultanément la Manchourie à l'exception du territoire sur lequel s'étend le bail de la presqu'île de Liaotong, conformément aux dispositions de l'Article additionnel I annexé à ce Traité ; et

2.—A restituer entièrement et complètement à l'administration exclusive de la Chine toutes les parties de la Manchourie qui sont occupées maintenant par les troupes japonaises ou russes ou qui sont sous leur contrôle, à l'exception du territoire susmentionné.

Le Gouvernement Impérial de Russie déclare qu'il n'a point en Manchourie d'avantages territoriaux ou concessions préférentielles ou exclusives de nature à porter atteinte à la souveraineté de la Chine ou incompatibles avec le principe d'opportunité égale. (784)

ARTICLE IV.

Le Japon et la Russie s'engagent réciproquement à ne mettre aucun

It is also agreed that, in order to avoid all cause of misunderstanding, the two High Contracting Parties will abstain, on the Russo-Corean frontier, from taking any military measure which may menace the security of Russian or Corean territory. (783)

ARTICLE III.

Japan and Russia mutually engage :

1. To evacuate completely and simultaneously Manchuria except the territory affected by the lease of the Liao-tung Peninsula, in conformity with the provisions of additional Article I. annexed to this Treaty ; and

2. To restore entirely and completely to the exclusive administration of China all portions of Manchuria now in the occupation or under the control of the Japanese or Russion troops, with the exception of the territory above mentioned.

The Imperial Government of Russia declare that they have not in Manchuria any territorial advantages or preferential or exclusive concessions in impairment of Chinese sovereignty or inconsistent with the principle of equal opportunity. (784)

ARTICLE IV.

Japan and Russia reciprocally engage not to obstruct any general meas-

obstacle aux mesures générales qui s'appliquent également à toutes les nations et que la Chine pourrait prendre pour le développement du commerce et de l'industrie en Manchourie. (784)

ARTICLE V.

Le Gouvernement Impérial de Russie cède au Gouvernement Impérial du Japon, avec le consentement du Gouvernement de Chine, le bail de Port Arthur, de Talien et des territoires et eaux territoriales adjacents, ainsi que tous les droits, priviléges et concessions se rattachant à ce bail ou en faisant partie, et il cède, de même, au Gouvernement Impérial du Japon, tous les travaux et propriétés publics dans le territoire sur lequel s'étend le bail susmentionné.

Les deux Hautes Parties Contractantes s'engagent mutuellement à obtenir du Gouvernement de Chine le consentement mentionné dans la stipulation ci-dessus.

Le Gouvernement Impérial du Japon donne, de sa part, l'assurance que les droits de propriété des sujets russes dans le territoire susmentionné seront parfaitement respectés. (784)

ARTICLE VI.

Le Gouvernement Impérial de Russie s'engage à céder au Gouvernement Im-

ures common to all countries, which China may take for the development of the commerce and industry of Manchuria. (784)

ARTICLE V.

The Imperial Russian Government transfer and assign to the Imperial Government of Japan, with the consent of the Government of China, the lease of Port Arthur, Talien and adjacent territory and territorial waters and all rights, privileges and concessions connected with or forming part of such lease and they also transfer and assign to the Imperial Government of Japan all public works and properties in the territory affected by the above mentioned lease.

The two High Contracting Parties mutually engage to obtain the consent of the Chinese Government mentioned in the foregoing stipulation.

The Imperial Government of Japan on their part undertake that the proprietary rights of Russian subjects in the territory above referred to shall be perfectly respected. (784)

ARTICLE VI.

The Imperial Russian Government engage to transfer and assign to the

périal du Japon, sans compensation, avec le consentement du Gouvernement de Chine, le chemin de fer entre Tchan-Tchoun (Kouan-Tchen-Tsy) et Port Arthur et tous ses embranchements avec tous les droits, priviléges et propriétés y appartenant dans cette région, ainsi que toutes les mines de charbon dans la dite région, appartenant à ce chemin de fer ou en exploitation pour son profit.

Les deux Hautes Parties Contractantes s'engagent mutuellement à obtenir du Gouvernement de Chine le consentement mentionné dans la stipulation ci-dessus. (785)

ARTICLE VII.

Le Japon et la Russie s'engagent à exploiter leurs chemins de fer respectifs en Manchourie exclusivement dans un but commercial et industriel, mais nullement dans un but stratégique.

Il est entendu que cette restriction ne s'applique pas aux chemins de fer dans le territoire sur lequel s'étend le bail de la presqu'île de Liaotong. (785)

ARTICLE VIII.

Les Gouvernements Impériaux du Japon et de Russie, en vue de favoriser et de faciliter les relations et le trafic, concluront, aussitôt que possible, une convention séparée pour le règlement

Imperial Government of Japan, without compensation and with the consent of the Chinese Government, the railway between Chang-chun (Kuan-cheng-tzu) and Port Arthur and all its branches, together with all rights, privileges and properties appertaining thereto in that region, as well as all coal mines in the said region belonging to or worked for the benefit of the railway.

The two High Contracting Parties mutually engage to obtain the consent of the Government of China mentioned in the foregoing stipulation. (785)

ARTICLE VII.

Japan and Russia engage to exploit their respective railways in Manchuria exclusively for commercial and industrial purposes and in no wise for strategic purposes.

It is understood that that restriction does not apply to the railway in the territory affected by the lease of the Liao-tung Peninsula. (785)

ARTICLE VIII.

The Imperial Governments of Japan and Russia, with a view to promote and facilitate intercourse and traffic, will, as soon as possible, conclude a separate convention for the regulation

de leurs services de raccordement de chemins de fer en Manchourie. (785)

ARTICLE IX.

Le Gouvernement Impérial de Russie cède au Gouvernement Impérial du Japon en perpétuité et en pleine souveraineté la partie sud de l'Ile de Sakhaline et toutes les îles qui y sont adjacentes, ainsi que tous les travaux et propriétés publics qui s'y trouvent. Le cinquantième parallèle de latitude nord est adopté comme la limite du territoire cédé. La ligne frontière exacte de ce territoire sera déterminée conformément aux dispositions de l'Article additionnel II annexé à ce Traité.

Le Japon et la Russie conviennent mutuellement de ne construire dans leurs possessions respectives sur l'Ile de Sakhaline et sur les îles qui y sont adjacentes aucune fortification ni travaux militaires semblables. De même, ils s'engagent respectivement à ne prendre aucune mesure militaire qui pourrait entraver la libre navigation des Détroits de La Pérouse et de Tartarie. (785)

ARTICLE X.

Il est réservé aux sujets russes habitants du territoire cédé au Japon de vendre leurs propriétés immobilères et de se retirer dans leur pays ; mais, s'ils préfèrent rester dans le territoire cédé, ils

of their connecting railway services in Manchuria. (785)

ARTICLE IX.

The Imperial Russian Government cede to the Imperial Government of Japan in perpetuity and full sovereignty, the southern portion of the Island of Saghalien and all islands adjacent thereto, and all public works and properties thereon. The fiftieth degree of north latitude is adopted as the northern boundary of the ceded territory. The exact alignment of such territory shall be determined in accordance with the provisions of additional Article II. annexed to this Treaty.

Japan and Russia mutually agree not to construct in their respective possessions on the Island of Saghalien or the adjacent islands, any fortifications or other similar military works. They also respectively engage not to take any military measures which may inpede the free navigation of the Straits of La Perouse and Tartary. (785)

ARTICLE X.

It is reserved to the Russian subjects, inhabitants of the territory ceded to Japan, to sell their real property and retire to their country; but, if they prefer to remain in the ceded territory,

seront maintenus et protégés dans le plein exercice de leurs industries et droits de propriété à la condition de se soumettre aux lois et à la juridiction japonaises. Le Japon aura la pleine liberté de retirer le droit de résidence dans ce territoire à tous les habitants se trouvant dans l'incapacité politique ou administrative, ou de les déporter de ce territoire. Il s'engage toutefois à ce que les droits de propriété de ces habitants soient pleinement respectés. (786)

ARTICLE XI.

La Russie s'engage à s'entendre avec le Japon pour concéder aux sujets japonais des droits de pêche le long des côtes des possessions russes dans les Mers du Japon, d'Okhotsk et de Behring.

Il est convenu que l'engagement susmentionné ne portera pas atteinte aux droits déjà appartenant aux sujets russes ou étrangers dans ces régions. (786)

ARTICLE XII.

Le Traité de Commerce et de Navigation entre le Japon et la Russie ayant été annulé par la guerre, les Gouvernements Impériaux du Japon et de Russie s'engagent à adopter comme base de leurs relations commerciales, jusqu'à la conclusion d'un nouveau traité de commerce et de navigation sur la base du Traité qui était en vigueur antéri-

they will be maintained and protected in the full excreise of their industries and rights of property, on condition of submitting to Japanese laws and jurisdiction. Japan shall have full liberty to withdraw the right of residence in, or to deport from, such territory, any inhabitants who labour under political or administrative disability. She engages, however, that the proprietary rights of such inhabitants shall be fully respected. (786)

ARTICLE XI.

Russia engages to arrange with Japan for granting to Japanese subjects rights of fishery along the coasts of the Russian possessions in the Japan, Okhotsk and Behring Seas.

It is agreed that the foregoing engagement shall not affect rights already belonging to Russian or foreign subjects in those regions. (786)

ARTICLE XII.

The Treaty of Commerce and Navigation between Japan and Russia having been annulled by the war, the Imperial Governments of Japan and Russia engage to adopt as the basis of their commercial relations, pending the conclusion of a new treaty of commerce and navigation on the basis of the Treaty which was in force pre-

eurement à la guerre actuelle, le système du traitement réciproque sur le pied de la nation la plus favorisée, y compris les tarifs d'importation et d'exportation, les formalités de douane, les droits de transit et de tonnage et l'admission et le traitement des agents, des sujets et des vaisseaux d'un pays dans le territoire de l'autre. (786)

ARTICLE XIII.

Aussitôt que possible après la mise en vigueur du présent Traité, tous les prisonniers de guerre seront réciproquement restitués. Les Gouvernements Impériaux du Japon et de Russie nommeront, chacun de son côté, un Commissaire spécial qui se chargera des prisonniers. Tous les prisonniers se trouvant entre les mains de l'un des Gouvernements seront remis au Commissaire de l'autre Gouvernement, ou à son représentant dûment autorisé, qui les recevra en tel nombre et dans tels ports convenables de l'Etat remettant que ce dernier aurait notifié d'avance au Commissaire de l'Etat recevant.

Les Gouvernements du Japon et de Russie présenteront l'un à l'autre, le plus tôt possible après que la remise des prisonniers aura été achevée, un compte documenté des dépenses directes faites respectivement par eux pour le soin et l'entretien des prisonniers depuis

vious to the present war, the system of reciprocal treatment on the footing of the most fovoured nation, in which are included import and export duties, customs formalities, transit and tonnage dues, and the admission and treatment of the agents, subjects and vessels of one country in the territories of the other. (786)

ARTICLE XIII.

As soon as possible after the present Treaty comes into force, all prisoners of war shall be reciprocally restored. The Imperial Governments of Japan and Russia shall each appoint a special Commissioner to take charge of prisoners. All prisoners in the hands of one Government shall be delivered to and received by the Commissioner of the other Government or by his duly authorized representative, in such convenient numbers and at such convenient ports of the delivering State as such delivering State shall notify in advance to the Commissioner of the receiving State.

The Governments of Japan and Russia shall present to each other, as soon as possible after the delivery of prisoners has been completed, a statement of the direct expenditures respectively incurred by them for the care and maintenance of prisoners from the

la date de la capture ou de la reddition jusqu'à celle de la mort ou de la remise. La Russie s'engage à rembourser au Japon, aussitôt que possible après l'échange de ces comptes comme il est stipulé ci-dessus, la différence entre le montant réel ainsi dépensé par le Japon et le montant réel également déboursé, par la Russie. (787)

ARTICLE XIV.

Le présent Traité sera ratifié par Leurs Majestés l'Empereur du Japon et l'Empereur de toutes les Russies. Cette ratification sera, dans le plus bref délai possible et en tous cas pas plus tard que dans cinquante jours à partir de la date de la signature du Traité, notifiée aux Gouvernements Impériaux du Japon et de Russie respectivement, par l'intermédiaire du Ministre de France à Tokio et de l'Ambassadeur des Etats Unis d'Amérique à Saint Pétersbourg, et à partir de la date de la dernière de ces notifications ce Traité sera, dans toutes ses parties, mis en pleine vigueur.

L'échange formel des ratifications se fera à Washington aussitôt que possible. (787)

ARTICLE XV.

Le présent Traité sera signé en double : en langues anglaise et française. Les deux textes sont absolument

date of capture or surrender up to the time of death or delivery. Russia engages to repay to Japan, as soon as possible after the exchange of the statements as above provided, the difference between the actual amount so expended by Japan and the actual amount similarly disbursed by Russia. (787)

ARTICLE XIV.

The present Treaty shall be ratified by Their Majesties the Emperor of Japan and the Emperor of all the Russias. Such ratification shall, with as little delay as possible and in any case not later than fifty days from the date of the signature of the Treaty, be announced to the Imperial Governments of Japan and Russia respectively through the French Minister in Tokio and the Ambassador of the United States in Saint Petersburg and from the date of the later of such announcements this Treaty shall in all its parts come into full force.

The formal exchange of the ratifications shall take place at Washington as soon as possible. (787)

ARTICLE XV.

The present Treaty shall be signed in duplicate in both the English and French languages. The texts are in

conformes ; mais, en cas de divergence d'interprétation, le texte français fera foi.

En foi de quoi les Plénipotentiaires respectifs ont signé et scellé de leurs sceaux le présent Traité de Paix. (788)

Fait à Portsmouth (New Hampshire), le cinquième jour du neuvième mois de la trente-huitième année de Meidji, correspondant au vingt trois Août (cinq Septembre) de l'an mil neuf cent cinq.

(Signé) JUTARO KOMURA. (L. S.)
(Signé) K. TAKAHIRA. (L. S.)

(Signé) SERGE WITTE. (L. S.)
(Signé) ROSEN. (L. S.)

absolute conformity, but in case of discrepancy in interpretation, the French text shall prevail.

In witness whereof, the respective Plenipotentiaries have signed and affixed their seals to the present Treaty of Peace. (788)

Done at Portsmouth (New Hampshire) this fifth day of the ninth month of the thirty-eighth year of Meiji, corresponding to the twenty-third day of August (fifth September) one thousand nine hundred and five.

(Signed) JUTARO KOMURA. (L. S.)
(Signed) K. TAKAHIRA. (L. S.)

(Signed) SERGE WITTE. (L. S.)
(Signed) ROSEN. (L. S.)

Conformément aux dispositions des Articles III et IX du Traité de Paix entre le Japon et la Russie en date de ce jour, les Plénipotentiaires soussignés ont conclu les Articles additionnels suivants :

I. AD ARTICLE III.

Les Gouvernements Impériaux du Japon et de Russie s'engagent mutuellement à commencer le retrait de leurs

In conformity with the provisions of Articles III. and IX. of the Treaty of Peace between Japan and Russia of this date, the undersigned Plenipotentiaries have concluded the following additional Articles :

I. TO ARTICLE III.

The Imperial Governments of Japan and Russia mutually engage to commence the withdrawal of their military

forces militaires du territoire de la Manchourie simultanément et immédiatement après la mise en vigueur du Traité de Paix ; et dans une période de dix huit mois à partir de cette date les Armées des deux Puissances seront complètement retirées de la Manchourie, à l'exception du territoire à bail de la presqu'île de Liaotong.

Les forces des deux Puissances occupant les positions frontales seront retirées les premières.

Les Hautes Parties Contractantes se réservent le droit de maintenir des gardes pour protéger leurs lignes de chemins de fer respectives en Manchourie. Le nombre de ces gardes n'excédera pas quinze hommes par kilomètre ; et dans la limite de ce nombre maximum, les Commandants des Armées japonaises et russes fixeront, de commun accord, le nombre des gardes qui seront employés, le plus minime possible conformément aux exigences réelles.

Les Commandants des forces japonaises et russes en Manchourie s'entendront sur tous les détails relatifs à l'exécution de l'évacuation conformément aux principes ci-dessus énumérés, et prendront de commun accord, les mesures nécessaires pour effectuer l'évacuation aussitôt que possible et en tous cas pas plus tard que dans la période de dix huit mois. (789)

forces from the territory of Manchuria simultaneously and immediately after the Treaty of Peace comes into operation, and within a period of eighteen months from that date, the Armies of the two countries shall be completely withdrawn from Manchuria, except from the leased territory of the Liaotung Peninsula.

The forces of the two countries occupying the front positions shall be first withdrawn.

The High Contracting Parties reserve to themselves the right to maintain guards to protect their respective railway lines in Manchuria. The number of such guards shall not exceed fifteen per kilomètre and within that maximum number, the Commanders of the Japanese and Russian Armies shall, by common accord, fix the number of such guards to be employed, as small as possible having in view the actual requirements.

The Commanders of the Japanese and Russian forces in Manchuria shall agree upon the details of the evacuation in conformity with the above principles, and shall take by common accord the measures necessary to carry out the evacuation as soon as possible and in any case not later than the period of eighteen months. (789)

II. AD ARTICLE IX.

Aussitôt que possible après la mise en vigueur du présent Traité, une Commission de Délimitation, composée d'un nombre égal de membres qui seront nommés respectivement par les deux Hautes Parties Contractantes, marquera, sur les lieux, d'une manière permanente, la ligne exacte entre les possessions japonaise et russe de l'Ile de Sakhaline. La Commission sera tenue, autant que les considérations topographiques le permettent, à suivre le cinquantième parallèle de latitude nord pour la ligne de démarcation, et dans le cas où des déviations de la dite ligne sur quelques points seront trouvées nécessaires, compensation en sera faite par des déviations corrélatives sur d'autres points. Il sera, de même, le devoir de la dite Commission de préparer une liste et description des îles adjacentes qui seront comprises dans la cession, et finalement la Commission préparera et signera les cartes constatant les limites du territoire cédé. Les travaux de la Commission seront soumis à l'approbation des Hautes Parties Contractantes.

Les Articles additionnels mentionnés ci-dessus seront considérés comme ratifiés par la ratification du Traité de Paix auquel ils sont annexés. (789)

Portsmouth, le 5me jour, 9me mois,

II. TO ARTICLE IX.

As soon as possible after the present Treaty comes into force, a Commission of Delimitation, composed of an equal number of members to be appointed respectively by the two High Contracting Parties, shall on the spot, mark in a permanent manner the the exact boundary between the Japanese and Russian possessions on the Island of Saghalian. The Commission shall be bound, so far as topographical considerations permit, to follow the fiftieth parallel of north latitude as the boundary line, and in case any deflections from that line at any points are found to be necessary, compensation will be made by correlative deflections at other points. It shall also be the duty of the said Commission to prepare a list and description of the adjacent islands included in the cession and finally the Commission shall prepare and sign maps showing the boundaries of the ceded territory. The work of the Commission shall be subject to the approval of the High Contracting Parties.

The foregoing additional Articles are to be considered as ratified with the ratification of the Treaty of Peace to which they are annexed. (789)

Portsmouth, the 5th day, 9th

38me année de Meidji, correspondant au $\frac{\text{23 Août}}{\text{5 Septembre}}$ 1905.

(Signé) JUTARO KOMURA.
(Singé) K. TAKAHIRA.

(Signé) SERGE WITTE.
(Signé) ROSEN.

month, 38th year of Meiji, corresponding the $\frac{\text{23rd August}}{\text{5th September}}$, 1905.

(Signed) JUTARO KOMURA.
(Signed) K. TAKAHIRA.

(Signed) SERGE WITTE.
(Signed) ROSEN.

TRAITÉ D'ÉCHANGE DE L'ÎLE DE SAKHALINE ET DU GROUPE DES ÎLES KOURILES.

Signé à St. Pétersbourg, le $\frac{25\ Avril}{7\ Mai}$ 1875 *(le 7e jour du 5e mois de la 8e année de Meiji); Ratifications échangées le 22 Août* 1875 *(le 22e jour du 8e mois de la 8e année de Meiji).*

Sa Majesté l'Empereur de toutes les Russies et Sa Majesté l'Empereur du Japon, désirant mettre un terme aux nombreux inconvénients qui résultent de la possession en commun de l'île de Sakhaline et consolider la bonne intelligence qui existe entre Eux, sont convenus de conclure un Traité de cession réciproque, par Sa Majesté l'Empereur de toutes les Russies du groupe des îles Kouriles, et par Sa Majesté l'Empereur du Japon de ses droits sur l'île de Sakhaline (Krafto), et ont nommé à cet effet pour Leurs plénipotentiaires, savoir :

Sa Majesté l'Empereur de toutes les Russies :

Le Prince Alexandre Gortchacow, Son Chancelier de l'Empire, ayant le Portrait de Sa Majesté l'Empereur enrichi de diamants, chevalier des Ordres Russes : de St. André en diamants, de St. Vladimir de la 1ère classe, de St. Alexandre Newsky, de l'Aigle Blanc, de Ste Anne de la 1ère classe, chevalier Grand' Croix de la Légion d'honneur de France, de la Toison d'or d'Espagne, de l'Annonciade d'Italie, de Ste Etienne d'Autriche, de l'Aigle Noir de Prusse en diamants et de plusieurs autres ordres étrangers ;

Et Sa Majesté l'Empereur du Japon :

Le Vice-Admiral Jushii Enomoto Takeaki, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour de Sa Majesté l'Empereur de toutes les Russies, lesquels ont arrêté et signé les Articles suivants :

ARTICLE I.

Sa Majesté l'Empereur du Japon, pour Elle et Ses héritiers, cède à Sa Majesté l'Empereur de toutes les Russies la partie du territoire de l'île de Sakhaline (Krafto) qu'Elle possède actuellement, avec tous les droits de souveraineté découlant de cette possession, en sorte que désormais ladite île de Sakhaline (Krafto) tout entière appartiendra intégralement à l'Empire de Russie et que la frontière entre les Empires de Russie et du Japon dans ces parages passera par le détroit et La Pérouse. (791)

ARTICLE II.

En échange de la cession à la Russie des droits sur l'île de Sakhaline, énoncée dans l'Article premier, Sa Majesté l'Empereur de toutes les Russies, pour Elle et Ses héritiers, cède à Sa Majesté l'Empereur du Japon le groupe des îles dites Kouriles qu'Elle possède actuellement, avec tous les droits de souveraineté découlant de cette possession, en sorte que désormais ledit groupe des Kouriles appartiendra à l'Empire du Japon. Ce groupe comprend les dix-huit îles ci-dessous nommées : 1/ Choumcheu 2/ Alaïd, 3/ Paramouchir, 4/ Makanrouchi, 5/ Onékotan, 6/ Harimkatan, 7/ Ekarma, 8/ Chiachkotan, 9/ Moussir, 10/ Raikoké, 11/ Matoua, 12/ Rastoua, 13/ les îlots de Srednéva et Ouchisir, 14/ Kétoï, 15/ Simousir, 16/ Broton, 17/ les îlots de Tcherpoï et Brat Tcherpoïeff et 18/ Ouroup, en sorte que la frontière entre les Empires de Russie et du Japon dans ces parages passera par le détroit qui se trouve entre le cap Lopatka de la péninsule de Kamtchatka et l'île de Choumcheu. (791)

ARTICLE III.

La remise réciproque des territoires désignés dans les deux articles précédents aura lieu immédiatement après l'échange des ratifications du présent Traité et lesdits territoires passeront à leur nouveaux possesseurs avec les revenus à dater du jour de la prise de possession ; mais la cession réciproque avec droit de possession immédiate doit, toutefois, être considérée complète et absolue à dater du jour de l'échange des ratifications.

La remise formelle sera effectuée par une commission mixte composée d'un ou de plusieurs agents nommés par chacune des Hautes Parties contractantes. (791)

ARTICLE IV.

Dans les territoires réciproquement cédés par les articles précédents sont compris le droit de propriété sur tous les terrains publics, terres inoccupées, toutes les constructions publiques, fortifications, casernes et autres édifices qui ne sont pas propriété particulière. Toutefois, les constructions et les biens mobiliers appartenant actuellement aux Gouvernements respectifs seront constatés et leur évaluation sera vérifiée par le Commission citée dans l'Article troisième ; le montant de l'évaluation sera remboursé par le Gouvernement auquel passe la possession du territoire. (791)

ARTICLE V.

Il est réservé aux habitants des territoires cédés de part et d'autre, sujets Russes et Japonais, de conserver leur nationalité et de rentrer dans leurs pays respectifs ; mais, s'ils préfèrent rester dans les territoires cédé ils seront maintenus et protégés, dans le plein exercice de leur industrie, droits de propriété et religion, sur le même pied que les nationaux, à la condition de se soumettre aux lois et à la juridiction du pays auquel aura passé la possession des territoires respectifs. (791)

ARTICLE VI.

En considération des avantages résultant de la cession de l'ile de Sakhaline, Sa Majesté l'Empereur de toutes les Russies accorde :

1° Aux bâtiments Japonais le droit de fréquenter le port Korsakow (Koussoun-Kotan) en franchise de tout droit de port et de douanes pendant la période de dix années à compter de la date de l'échange des ratifications. A l'expiration de ce terme, il dépendra de Sa Majesté Impériale de toutes les Russies de maintenir encore cette franchise ou de la suspendre. Sa Majesté l'Empereur de toutes les Russies reconnaît, en outre, au Gouvernement Japonais le droit d'établir un Consul ou Agent Consulaire dans le port Korsakow.

2° Aux bâtiments et aux commerçants Japonais pour la navigation et le commerce dans les ports de la mer d'Okhotsk et de ceux de Kamtchatka, ainsi que pour la pêche dans ces eaux et le long des côtes, les mêmes droits et priviléges que ceux dont jouissent dans l'Empire de Russie les bâtiments et les commerçants des nations les plus favorisées. (792)

ARTICLE VII.

Prenant en considération que, quoique les pleins pouvoirs du Vice-Admiral Enomoto Takeaki ne soient pas encore parvenus à destination, un avis télégraphique constate leur expédition du Japon, on est convenu de ne pas retarder davantage la signature du présent Traité, en y stipulant que la formalité de l'échange des pleins pouvoirs aurait lieu dès que le plénipotentiaire Japonais se trouverait en possession des siens et qu'un protocole spécial serait dressé pour constater l'accomplissement de cette formalité. (792)

ARTICLE VIII.

Le présent Traité sera approuvé et ratifié par Sa Majesté l'Empereur de toutes les Russies et par Sa Majesté l'Empereur du Japon et les ratifications en seront échangées à Tokio (Yeddo) dans le délai de six mois à compter de la date de la signature ou plus tôt si faire se peut. (792)

En foi de quoi les plénipotentiaires respectifs l'ont signé et y ont apposé le cachet de leurs armes.

Fait en double original, à St. Pétersbourg, le $\frac{\text{vingt-cinq Avril}}{\text{sept Mai}}$ mil huit cent soixante-quinze, correspondant au septième jour du cinquième mois de la huitième année de Meiji.

(L. S.) GORTCHACOW. (L. S.) ENOMOTO TAKEAKI.

DÉCLARATION.

Signée à St. Pétersbourg, le $\frac{25\ Avril}{7\ Mai}$ 1875 (*le 7e jour du 5e mois de la 8e année de Meiji*).

Le Gouvernement de sa Majesté l'Empereur de Russie et le Gouvernement de sa Majesté l'Empereur du Japon désirant compléter les stipulation de l'Article IV du Traité signé ce même jour entre les Empires de Russie et du Japon, les soussignés dûment autorisés à cet effet sont convenu des dispositions suivantes:

ARTICLE I.

Le Gouvernement Impérial de Russie accepte comme base de l'évaluation à payer au Gouvernement Japonais pour les constructions et les biens mobiliers qui doivent lui être transmis en conformité du Traité de ce même jour, les chiffres communiqués par le Gouvernement du Japon, notamment pour les constructions au nombre de 194, soixante quatorze mille soixante trois yens (dollar du Japon) et pour les biens mobiliers dix neuf mille huit cent quatorze yens. (793)

ARTICLE II.

La commission mixte instituée par l'Article III du Traité de ce même jour procèdera en commun à la constatation et vérification des constructions et des biens mobiliers devant passer respectivement dans la propriété des Gouvernement de Russie et du Japon. Après la réception du raport de la commission concernant la transmission respective des territoires, constructions et des biens mobiliers, ainsi que la constatation de montant définitivement arrêté comme indemnisation dûe au Gouvernement du Japon, cette somme, défalcation faite du montant qui du même chef reviendrait au Gouvernement de Russie, sera payée à St. Pétersbourg soit au Représentant diplomatique de l'Empereur du Japon soit à tout autre agent de Sa Majesté dûment autorisé à cet effet, pas plus tard que dans les six mois à compter de la transmission officielle des territoires, constructions et biens mobiliers mutuellement cédés. (793)

ARTICLE III.

Pour compléter et développer l'Article V du Traité signé ce même jour quant aux droits et à la position des sujets respectifs restant sur les territoires réciproquement cédés, ainsi que relativement aux aborigènes de ces territoires, un article supplémentaire sera négocié et conclu entre Gouvernement du Japon et le Ministre Résident de Russie à Tokio (Yeddo) qui sera muni à cet effet de pleins pouvoirs (793) .

ARTICLE IV.

Les arrangement contenus dans les trois articles précédents auront la même force et vigueur que s'ils avaient été insérés dans ce texte du Traité signé ce même jour. (793)

En foi de quoi les Plénipotentiaires respectifs ont dressé la présente déclaration et y ont apposé le cachet de leurs armes.

Fait en double expédition à St. Pétersbourg, le $\frac{\text{vingt-cinq Avril}}{\text{sept Mai}}$ mil huit cent soixante-quinze correspondant au septième jour du cinquième mois de la huitième année de Meiji.

(L. S.) GORTCHACOW.
(L. S.) ENOMOTO TAKEAKI.

ARTICLE SUPPLÉMENTAIRE.

Signé à Tokio, le $\frac{10\ Août}{22\ Août}$ 1875 (*le 22e jour du 8e mois de la 8e année de Meiji*) *et promulgué le 22e jour du 2e mois de la 9e année de Meiji* (*le 22 Février* 1876).

Conformément à l'article III de la déclaration, signée à St. Pétersbourg, le $\frac{\text{25Avril}}{\text{7 Mai}}$ 1875, correspondant au 7e jour du 5e mois de la 8e année de Meiji, et pour compléter et développer l'article V du Traité signé le même jour, quant aux droits et à la position des sujets respectifs restant sur les territoires réciproquement cédés, ainsi que relativement aux aborigènes de ces territotres, Sa Majesté l'Empereur de toute les Russies et Sa Majesté l'Empereur du Japon ont nommé pour Leurs plénipotentiaires, savoir :

Sa Majesté l'Empereur de toutes les Russies : Son Chambellan et Conseiller d'Etat actuel Charles Struve, Son Ministre Résident au Japon ;

et Sa Majesté l'Empereur du Japon : Son Ministre des Affaires Etrangères Terashima Munenori ;

lesquels, après s'être communiqué, leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus de ce qui suit ;

a, Les habitants des territoires cédés de part et d'autre, sujets russes et japonais, qui désireront rester domiciliés dans les localités qu'ils occupent actuellement, seront maintenus dans le plein exercice de leurs industries. Ils conserveront le droit de pêche et de chasse dans les limites qui leur appartiennent actuellement et ils seront exempts leur vie durant de tout impôt sur leurs industries respectives. (794)

b, Les sujets japonais qui resteront dans l'îls de Sakhaline et les sujets russes qui resteront dans les îles Kouriles seront maintenus et protégés dans le plein exercice de leur droit actuel de propriété. Des certificats leur seront délivrés constatant leur droit d'usufruit et de propriété sur les immeubles qui se trouvent actuellement en leur possession. (794)

c, Une pleine et parfaite liberté de religion est accordée aux sujets Japonais résidant dans l'île de Sakhaline, ainsi qn'aux sujets Russes résidant dans les îles Kouriles. Les églises, temples et cimetières seront respectés. (794)

d, Les aborigènes, tant de Sakhaline, que des îles Kouriles ne jouiront pas du droit de rester domiciliés dans les localités occupées par eux actuellement et de conserver en même têmps leur sujétion actuelle. S'ils veulent rester sujets de leur gouvernement actuel ils devront quitter leur domicile et s'en aller sur le territoire appartenant à leur Souverain ; s'ils veulent rester domiciliés dans les localités qu'ils occupent actuellement, ils devront changer de sujétion. Il leur sera toutefois accordé un terme de trois ans, à dater de la notification à eux du présent article supplémentaire, pour prendre une décision à ce sujet. Pendant ces trois ans il leur sera maintenu le droit de pêche, de chasse ou de toute autre industrie qu'ils exerçaient jusqu'à ce jour, aux même conditions, en ce qui concerne les priviléges et obligations qui existaient pour eux jusqu'ici dans l'île de Sakhaline et aux îles Kouriles, mais pendant tout ce temps ils seront soumis aux lois et aux règlements locaux. A l'expiration de ce terme tous les aborigènes qui se trouveront domiciliés sur les territoires réciproquement cédés, deviendront sujets du Gouvernement auquel aura passé la possession du territoire. (794)

e, Une pleine et parfaite liberté de religion est accordée à tous les aborigènes de l'île de Sakhaline et des îles Kouriles. Les temples et les cimetières seront respectés. (795)

f, Les arrangements contenu dans les cinq paragraphes précédents auront la même force et vigueur que s'ils avaient été insérés dans le texte du Traité signé à St. Pétersbourg, le $\frac{25 \text{ Avril}}{7 \text{ Mai}}$ 1875. (795)

En foi de quoi les Plénipotentiaires respectifs ont signé le présent article supplémentaire et y ont apposé le cachet de leurs armes.

Fait en double expédition à Tokio, le $\frac{\text{vingt-deuxième}}{\text{dixième}}$ Août de l'an de Grâce mil huit cent soixante-quinze, correspondant au vingt deuxième jour du huitième mois de la huitième année de Meiji.

(L. S.) C. STRUVE.
(L. S.) TERASHIMA MUNENORI.

ПРОТОКОЛЪ.

СОГЛАШЕНІЯ О ПОРЯДКѢ ЭВАКУАЦІИ РУССКИХЪ И ЯПОНСКИХЪ ВОЙСКЪ ИЗЪ МАНЬЧЖУРІИ И О ПОРЯДКѢ ПЕРЕДАЧИ ЖЕЛѢЗНО-ДОРОЖНОЙ ЛИНІИ.

Подписанъ въ Сынинаѣ 30й день 10го Мѣсяца 38го года Мейдзи (17 *Октября* 1805 г.); *опубликованъ 24й день 11го Мѣсяца того же года* (11 *Ноября* 1905 г.).

СТАТЬЯ I.

На основаніи добавочной статьи къ статьѣ третьей мирнаго договора между Россіей и Японіей, подписаннаго 5 Сентября нов. ст. (23 Августа ст. ст.) сего года въ Портсмутѣ, заключено слѣдующее соглашеніе:

п. А. Къ 31 Декабря н. ст. (18 Декабря ст. ст.) 1905 года русскія войска въ Маньчжуріи, занимающія фронтальныя позиціи, должны быть отведены въ раіонъ—Итунчжоу—Ихэченъ—Уицгоу—Баміенченъ—Суанченцза—и къ сѣверу.

Къ 31 Декабря н. ст. (18 Декабря ст. ст.) 1905 года японскія войска въ Маньчжуріи, занимающія фронтальныя позиціи, должны быть отведены въ раіонъ—Факумынь—Цзинь—Цзятунь—Чантуфу—Вейпумынь—Фушунь и къ югу.

п. Б. Къ 1 Іюня нов. ст. (19 Мая ст. ст.) 1906 года русскія войска должны отойти на Линію—Суанченцза—ст. Гунгжулинъ—Итунчжоу и къ сѣверу отъ этой линіи;

Японскія войска—на Линію—Факумынь—Тѣлинъ—Фушунь и къ югу отъ этой линіи.

п. В. Къ 1 Августа нов. ст. (19 Іюля ст. ст.) 1906 года русскія войска должны быть отведены на линію—Санхотунь—гор. Куанченцзы—Палипу и къ сѣверу отъ нея;

Японскія войска—на линію Синминтинъ—гор. Мукденъ—Фушунь и къ югу отъ нея.

п. Г. Каждая изъ договаривающихся сторонъ обязуется имѣть въ Маньчжуріи къ 15 Апрѣля нов. ст. (2 Апрѣля ст. ст.) 1906 года не болѣе двухсотъ пятидесяти тысячъ строевыхъ, а къ 15 Октября нов. ст.—2 Октября ст. ст. 1906 года—не болѣе семидесяти пяти тысячъ строевыхъ.

Къ 15 Апрѣля нов. ст.—2 Апрѣля ст. ст. 1907 года эвакуація войскъ обѣихъ сторонъ изъ Маньчжуріи должна быть закончена.

п. Д. Средняя численность стражи, которую обѣ договаривающіяся стороны могутъ содержать для охраны своихъ желѣзнодорожныхъ линій въ Маньчжуріи, согласно первой добавочной статьи къ Портсмутскому договору опредѣляется по 15 человѣкъ (пятнадцати человѣкъ) на километръ. (796)

СТАТЬЯ II.

п. А. Для передачи желѣзнодорожной линіи каждая изъ договаривающихся сторонъ назначаетъ комиссіи въ числѣ трехъ членовъ изъ числа офицеровъ управленія Военныхъ Сообщеній и Инженеровъ.

Комиссіи должны начать работу около средины Апрѣля нов. ст. 1906 года.

Точное время и мѣсто встрѣчи комиссій опредѣляется отдѣльнымъ соглашеніемъ.

п. Б. Сдача и пріемъ желѣзнодорожной линіи къ югу отъ ст. Гунчжулинъ должна быть исполнена къ 1 Іюня нов. ст.—19 мая ст.

ст. 1906 года, а ст. Гунчжулинъ и участка къ сѣверу отъ нея къ 1 Августа нов. ст.—19 Іюля ст. ст. 1906 года.

п. В. Точное опредѣленіе конечнаго сѣвернаго пункта желѣзнодорожной линіи, передаваемой Японіи, будетъ рѣшено дипломатическимъ путемъ.

Въ удостовѣреніе чего нижеподписавшіеся, надлежащимъ образомъ на то уполномоченные Главно командующими Русскими и Японскими Арміями въ Маньчжуріи, составили настоящій протоколъ въ двухъ экземплярахъ, каждый на русскомъ и японскомъ языкахъ. Обѣ договаривающіяся стороны получаютъ по экземпляру русскаго и японскаго текстовъ протокола. (796)

Совершенъ на ст. Сыпингай 17 октября ст. ст.—30 октября нов. ст. 1905 года.

Генералъ-квартирмейстеръ при Главнокомандующемъ всѣми русскими вооруженными Силами въ Маньчжуріи Генералъ Маіоръ Орановскій.

日本満洲軍総司令部参謀副長 陸軍大将

МЕМОРАНДУМЪ.

Уполномоченные Главнокомандующихъ русскими и японскими войсками въ Маньчжуріи при подписаніи протокола о порядкѣ эвакуаціи русскихъ и японскихъ войскъ изъ Маньчжуріи условились: Въ виду нежелательности, чтобы постороннія лица проникали въ раіоны расположенія Армій той и другой стороны, проѣздъ лицъ, исключая мѣстныхъ жителей, изъ раіона одной Арміи въ раіонъ

другой допускается лишь съ взаимнаго согласія властей обѣихъ Арміи.

Для сношеній по вопросамъ о полученіи разрѣшеній назначается въ каждой Арміи особый Штабъ, который, и выдаетъ удостовѣренія на выѣздъ въ раіонъ другой Арміи.

Для выдачи такого удостовѣрнія въ каждомъ случаѣ должно быть получено согласіе Штаба той Арміи, въ раіонъ которой лицо направляется.

Въ настоящее время такіе Штабы должны находиться при Штабахъ Главнокомандующихъ; о перемѣнахъ въ ихъ расположеніи стороны взаимно извѣщаются. (797)

17/30 Октября 1905 года. Ст. Сыпингай.

Генералъ-Квартирмейстеръ при Главнокомандующемъ всѣми русскими вооруженными силами въ Маньчжуріи Генералъ маіоръ Орановскій.

日本國天皇陛下ノ全權委員　露國皇帝

CONVENTION.

Signée à St. Pétersbourg, le 30e jour du 7e mois de la 40e année de Meiji (1907); *publiée le 11e jour du 8e mois de la 40e année de Meiji* (1907).

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majesté l'Empereur de toutes les Russies, désireux de consolider les rapports de paix et de bon voisinage qui se sont heureusement rétablis entre le Japon et la Russie, et, voulant écarter pour l'avenir toute cause de malantendu dans les relations des deux Empires, sont convenus des dispositions suivantes:

ARTICLE I.

Chacune des Hautes Parties Contractantes s'engage à respecter l'intégrité territoriale actuelle de l'autre et tous les droits découlant pour l'une et pour l'autre Partie des traités, conventions et contrats en vigueur entre elles et la Chine, copies desquels ont été échangées entre les Parties Contractantes, (en tant que ces droits ne sont pas incompatibles avec le principe de l'opportunité égale), du Traité signé à Portsmouth le cinq septembre/vingt-trois août 1905, ainsi que des conventions spéciales conclues entre le Japon et la Russie. (798)

ARTICLE II.

Les deux Hautes Parties Contractantes reconnaissent l'indépendance et l'intégrité territoriale de l'Empire de Chine et le principe de l'opportunité égale pour ce qui concerne le commerce et l'industrie de toutes les nations dans cet Empire, et s'engagent à soutenir et à défendre le maintien du statu quo et le respect de ce principe par tous les moyens pacifiques à leur portée. (799)

En foi de quoi, les soussignés, dûment antorisés par leurs Gouvernements respectifs, ont signé cette Convention et y ont apposé leurs sceaux.

Fait à St. Pétersbourg, le trentième jour du septième mois de la quarantième année de Meidji, correspondant au dix-sept/trente juillet 1907.

(L. S.) I. MOTONO. (L. S.) ISWOLSKY.

SIAM.

TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION.

Signed at Bangkok, 25th day of 2nd month, 31st year of Meiji (1898); *Ratified 30th day of 4th month, 31st year of Meiji* (1898); *Ratifications exchanged at Bangkok, 31st day of 5th month, 31st year of Meiji* (1898); *and Promulgated 24th day of 6th month, 31st year of Meiji* (1898).

His Majesty the Emperor of Japan and His Majesty the King of Siam, being equally animated by a desire to promote the relations of Friendship, Commerce and Navigation which happily exist between Their respective States and subjects, have resolved to conclude a Treaty for that purpose, and have named as Their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan, Inagaki Manjiro, Shogoi, His Majesty's Minister Resident at the Court of His Majesty the King of Siam, and His Majesty the King of Siam, His Royal Highness Prince Krom Luang Devawongse Varoprakar, Knight of the Order of Chakrakri, First Class of the Order of Rising Sun, &c., Minister for Foreign Affairs of His Majesty the King of Siam;

Who, after having communicated to each other their respective Full Powers found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

There shall be constant peace and perpetual friendship between Japan and Siam, and the sujects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other full and entire protection for their persons and property according to established laws of the country. (800)

ARTICLE II.

It shall be free to each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls and Consular Agents to reside in the towns and

ports of the dominions and possessions of the other, where similar officers of other Powers are permitted to reside. Such Consuls-General, Consuls, Vice-Consuls and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall enjoy all the honours, privileges, exemptions and immunities of every kind, which are, or may be, granted to Consuls of the most favoured nation. (800)

ARTICLE III.

The subjects of each of the High Contracting Parties may enter, remain and reside in any part of the dominions and possessions of the other, where the subjects and citizens of the nation most favoured in those respects, are permitted to enter, remain and reside; they may there hire and occupy houses, manufactories, shops and warehouses, and they may there engage in trade by wholesale and retail in all kinds of produce, manufactures and merchandise, paying no other or higher taxes, imposts, charges or exactions of any kind than are now, or may hereafter be, paid by the subjects or citizens of the most favoured nation.

In all that relates to travel, trade and residence; to the acquisition, possession and disposal of property of all kinds; and to the right to engage in all kinds of business, occupation and enterprise, the subjects of each of the Contracting Parties in the dominions and possessions of the other shall at all times enjoy the treatment accorded to the subjects or citizens of the most favoured nation. (801)

ARTICLE IV.

There shall be reciprocally full and entire freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties. The subjects of each of the Contracting Parties shall have liberty freely and securely to come and go with their ships and cargoes to and from all places, ports and rivers in the dominions and possessions of the other, which are now, or may hereafter be, opened to foreign commerce and navigation. (801)

ARTICLE V.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other a perfect equality of treatment which the subjects or citizens of the most favoured nation in all that relates to transit duties, warehousing, bounties, facilities, the examination and appraisement af merchandise, and drawbacks. (801)

ARTICLE VI.

No other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of Siam of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of His Majesty the King of Siam, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties into the dominions and possessions of the other from whatever place arriving, which shall not equally extend to the importation af the like article being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle or of plants useful to agriculture. (802)

ARTICLL VII.

No other or higher duties, taxes or charges of any kind shall be imposed in the dominions and possessions of either of the High Contracting Parties in respect of any article exported to the dominions and possessions of the other, than such as are, or may be, payable in respect of the like article exported to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which

shall not equally extend to the exportation of the like article to any other country. (802)

ARTICLE VIII.

All articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels or vessels of the most favoured nation, may likewise be imported into those ports in Siamese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels or vessels of the most favoured nation; and, reciprocally, all articles which are, or may be, legally imported into the ports of the dominions and possessions of His Majesty the King of Siam in Siamese vessels or vessels of the most favoured nation, may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Siamese vessels or vessels of the most favoured nation. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same internal and export duties shall be paid and same bounties and drawbacks allowed in the dominions and possessions of the either of the High Contracting Parties on the exportation of any article which is, or may be, legally exported therefrom, whether such exportation shall take place in Japanese or Siamese vessels or in vessels of a third Power, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power. (802)

ARTICLE IX.

No other or higher duties or charges on account of tonnage, light or harbour dues, pilotage, quarantine, salvage in case of damage or shipwreck, or any other local charges shall be imposed in any ports of Japan on Siamese vessels; nor in any of the ports of Siam on Japanese vessels than are now, or may hereafter be, payable in like cases in the same ports on national vessels in general or vessels of the most favoured nation. Such equality of treatment

shall apply reciprocally to the respective vessels from whatever port or place they may arrive and whatever may be their place of destination. (803)

ARTICLE X.

In all that concerns the entering, clearing, stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the dominions and possessions of the two countries, no privilege shall be granted by one country to national vessels or vessels of any third Power, which shall not be equally granted in similar cases to vessels of the other country. (803)

ARTICLE XI.

Any ship-of-war or merchant-vessel of either of the High Contracting Parties, which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and to put to sea again, without paying any duties other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, such ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners, master or their agents, when claimed by them. If such owners, master or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular Officers, owners, master or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses, which would have been payable in the case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from

all the duties of the customs, unless cleared for consumption, in which case they shall pay the ordinary duties.

In the case of a ship or vessel belonging to the subjects of either of the Contracting Parties being driven in by stress of weather, run aground or wrecked in the dominions and possessions of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present but requires it, be authorized to interpose in order to afford the necessary assistance to the subjects of the respective States. (804)

ARTICLE XII.

The vessels-of-war of each of the High Contracting Parties may enter, remain and make repairs in those ports and places of the other, to which the vessels-of-war of the most favoured nation are accorded access; they shall there submit to the same regulations and enjoy the same honours, advantages, privileges and exemptions as are now, or may hereafter be, conceded to vessels-of-war of the most favoured nation. (805)

ARTICLE XIII.

The High Contracting Parties agree that, in all that concerns commerce, industry and navigation, any privilege, favour or immunity, which either Contracting Party has actually granted, or may hereafter grant, to the Government, subjects, citizens, ships or merchandise of any other State, shall be extended immediately and unconditionally to the Government, subjects, ships or merchandise of the other Contracting Party; it being their intention that the trade, industry and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation. (805)

ARTICLE XIV.

The present Treaty shall come into force immediately after the exchange of ratifications, and shall remain in force for ten years, and thereafter until the expiration of a year from the day on which one or the other of the Contracting Parties shall have repudiated it. (805)

ARTICLE XV.

The present Treaty is signed, in duplicate, in the Japanese, Siamese and

English languages, and in case there should be found any discrepancy between the Japanese and Siamese texts, such discrepancy shall be decided in conformity with the English text. (805)

ARTICLE XVI.

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Bangkok as soon as possible. (806)

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Bangkok, in sextuplicate, this twenty-fifth day of the second month of the thirty-first year of Meiji, corresponding to the twenty-fifth day of February of the one hundred and sixteenth year of Ratanakosindr Sok and the eighteen hundred and ninety-eighth year of the Christian era.

(L. S.) INAGAKI MANJIRO.
(L. S.) DEVAWONGSE VAROPRAKAR.

PROTOCOL.

At the moment of proceeding this day to the signature of the Treaty of Friendship, Commerce and Navigation between Japan and Siam, the Plenipotentiaries of the two High Contracting Parties have declared as follows:

1. The Siamese Government consent that Japanese Consular officers shall exercise jurisdiction over Japanese subjects in Siam until the judicial reforms of Siam shall have been completed; that is, until a Criminal Code, a Code of Criminal Procedure, a Civil Code (with exception of Law of Marriage and Succession), a Code of Civil Procedure and a Law of Constitution of the Courts of Justice will come into force. (806)

2. The Japanese Government accept as binding upon Japanese subjects and vessels resorting to Siam the Trade Regulations and Customs Tariffs now in force in Siam in respect of the subjects, citizens and vessels of the other Powers having Treaties with Siam.

Such Regulations and Tariffs shall be subject to revision at any time upon twelve months' previous notice, on demand of either Japan or Siam.

All fines and penalties imposed for infractions of the said Regulations or of the Treaty signed this day shall be paid to the Siamese Government. (806)

3. Any controversies which may arise respecting the interpretation or the execution of the Treaty signed this day or the consequences of any violation thereof shall be submitted, when the means of settling them directly by amicable agreement are exhausted, to the decision of Commissions of Arbitration, and that the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent, failing which each of the Parties shall nominate an Arbitrator or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an Umpire.

The procedure of the Arbitration shall in each case be determined by the Contracting Parties, failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the High Contracting Parties at the same time as the Treaty, and that when the Treaty is ratified, the agreements contained in this Protocol shall also equally be considered as approved, without the necessity of a further formal ratification. (807)

In witness whereof, the respective Plenipotentiaries have signed the present Protocol, and have affixed thereto their seals.

Done at Bankok, in sextuplicate, this twenty-fifth day of the second month of the thirty-first year of Meiji, corresponding to the twenty-fifth day of February of the one hundred and sixteenth year of Ratanakosindr Sok and the eighteen hundred and ninety-eighth year of the Christian era.

(L. S.) INAGAKI MANJIRO

(L. S.) DEVAWONGSE VAROPRAKAR.

Bangkok, February 25, 1898.

Monsieur le Ministre,

I have the honour to communicate to Your Royal Highness the following proposals, which the Imperial Government hope will be accepted by the Royal Government; that as the Japanese Government are ready to give their adhesion to the Arrangements concluded by Siam with the several Treaty Powers in 1883, 1884 and 1885 for the regulation of the traffic in spirituous liquors, and also to agree to the Law of 1887, designed to carry those Arrangements into full effect, the Siamese Governmeut on their part will engage that the Japanese subjects shall at all times enjoy the same rights and privileges in regard to the importation and sale of spirits, beer, wines and spirituous liquors in Siam as the subjects or citizens of the most favoured nation; that spirits, beer, wines and spirituous liquors imported into Siam from Japan shall enjoy the same privileges in all respects as similar articles imported from the most favoured nation; and that the exception contained in Section 4 of said Law in favour of wine and beer made in Europe and in the United States of America shall equally apply to wine and beer made in Japan.

I avail myself of this opportunity to renew to Your Royal Highness the assurances of my highest consideration.

(Signed) INAGAKI MANJIRO.

To His Royal Highness,
KROM LUANG DEVAWONGSE VAROPRAKAR,
H. R. S. M.'s Minister for Foreign Affairs.

FOREIGN OFFICE,
Bangkok, February 25th, 1898.

Monsieur le Ministre,

I have the honour to acknowledge the receipt of your note of this day's date relating to the traffic of spirituous liquors in Siam, and I am happy to

state that His Majesty's Government accept the proposals of the Imperial Government of Japan as contained in your note under reply.

I avail myself of this occasion to express to you, Monsieur le Ministre, the assurance of my high consideration.

(Signed) DEVAWONGSE VAROPRAKAR,
Minister for Foreign Affairs.

MANJIRO INAGAKI, Esq.,
Minister Resident for Japan.

SUÈDE.

TRAITÉ DE COMMERCE ET DE NAVIGATION.

Signé à Stockholm, le 2e jour du 5e mois de la 29e année de Meiji (1896); *ratifié le 16e jour du 4e mois de la 30e année de Meiji* (1897); *ratifications remises à Tokio et à St-Pétersbourg, le 1er jour du 5e mois de la 30e année de Meiji* (1897); *et promulgué le 22e jour du 5e mois de la 30e année de Meiji* (1897.)

Sa Majesté l'Empereur du Japon, et Sa Majesté le Roi de Suède et de Norvège, animés d'un égal désir de maintenir les bons rapports déjà heureusement établis entre Eux, en étendant et en augmentant les relations entre leurs Etats respectifs, et persuadés que ce but ne saurait être mieux atteint que par la révision des traités jusqu'ici en vigueur entre les deux Pays, ont résolu de procéder à cette révision sur les bases de l'équté et de l'intérêt mutuel, et ont nommé, à cet effet, pour Leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon : Monsieur Tocziro Nissi, Jusammi, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi de Suède et de Norvège etc., etc. ;

Et Sa Majesté le Roi de Suède et de Norvège : Monsieur Louis Guillaume Auguste Comte Douglas, Son Ministre des Affaires Etrangères etc., etc.

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et couclu les articles suivants :

ARTICLE I.

Les sujets de chacune des deux Hautes Parties Contractantes auront toute liberté, en se conformant aux lois du Pays, d'entrer, de voyager ou de résider en un lieu quelconque du territoire de l'autre, et y jouiront d'une pleine et entière protection pour leurs personnes et leurs propriétés.

Ils auront un accès libre et facile aux tribunaux pour la poursuite ou la défense de leurs droits ; ils auront, sur le même pied que les sujets du Pays, la faculté de choisir et d'employer des avoués, des avocats et des mandataires afin de poursuivre et de défendre leurs droits devant ces tribunaux, et quant aux

autres matières qui se rapportent à l'administration de la justice, ils jouiront de tous les droits et priviléges dont jouissent les sujets du Pays.

Pour tout ce qui concerne le droit de résidence et de voyage, la possession des biens et effets mobiliers de quelque espèce que ce soit, la transmission des biens mobiliers par succession testamentaire ou autre, et le droit de disposer, de quelque manière que ce soit, des biens de toutes sortes qu'ils peuvent légalement acquérir, les sujets de chacune des deux Parties Contractantes jouiront, dans le territoire de l'autre, des mêmes priviléges, libertés et droits, et ne seront soumis, sous ce rapport, à aucuns impôts ou charges plus élevés que les sujets ou citoyens de la nation la plus favorisée. Les sujets de chacune des Parties Contractantes jouiront, dans le territoire de l'autre, d'une liberté entière de conscience, et pourront, en se conformant aux lois, ordonnances et règlements, se livrer à l'exercice de leur culte ; ils jouiront aussi du droit d'inhumer leurs nationaux respectifs, suivant leurs coutumes religieuses, dans des lieux convenables et appropriés qui seront établis et entretenus à cet effet.

Ils ne seront contraints, sous aucun prétexte, à payer des charges ou taxes autres ou plus élevées que celles qui sont on seront imposées aux sujets ou citoyens de la nation la plus favorisée.

Les sujets de chacune des Parties Contractantes qui résident dans le territoire de l'autre, ne seront astreints à aucun service militaire obligatoire, soit dans l'armée ou la marine, soit dans la garde nationale ou la milice, sauf les cas où une obligation de cette nature incombe aux sujets ou citoyens de la nation la plus favorisée ; ils seront exempts de toutes contributions imposées en lieu et place du service personnel, et de tous emprunts forcés. (810)

ARTICLE II.

Il y aura, entre les territoires des deux Hautes Parties Contractantes, liberté réciproque de commerce et de navigation.

Les sujets de chacune des Parties Contractantes pourront exercer en quelque lieu que ce soit du territoire de l'autre, le commerce en gros ou en détail de tous produits, objets fabriqués et marchandises de commerce licite, soit en personne, soit par leurs représentants, tant seuls qu'en société avec des étrangers ou des sujets du Pays ; ils pourront y posséder ou louer et occuper des maisons et des magasins, louer des terrains à l'effet d'y résider ou d'y faire

le commerce, le tout en se conformant aux lois, aux règlements de police et de douane du Pays, comme les sujets ou citoyens de la nation la plus favorisée.

Ils auront pleine liberté de se rendre avec leurs navires et leurs cargaisons dans tous les lieux, ports et rivières du territoire de l'autre, qui sont ou pourront être ouverts au commerce étranger, et ils jouiront respectivement, en matière de commerce et de navigation, du même traitement que les sujets ou citoyens de la nation la plus favorisée, sans avoir à payer aucuns impôts, taxes ou droits, de quelque nature ou dénomination que ce soit, perçus au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou établissements quelconques, autres ou plus élevés que ceux imposés aux sujets ou citoyens de la nation la plus favorisée.

Il est toutefois entendu que les stipulations contenues dans cet Article ainsi que dans l'Article précédent ne dérogent en rien aux lois, ordonnances et règlement spéciaux en matière de commerce, de police et de sécurité publique en vigueur dans chacun des deux Pays et applicables à tous les étrangers en général. (811)

ARTICLE III.

Les habitations, magasins et boutiques des sujets de chacune des Hautes Parties Contractantes dans le territoire de l'autre, ainsi que les édifices, servant soit à la demeure, soit au commerce, seront respectés.

Il ne sera pas permis de procéder à des perquisitions ou visites domiciliaires dans ces habitations, magasins et boutiques, ou bien d'examiner ou d'inspecter les livres, papiers ou comptes, sauf dans les conditions et formes prescrites par les lois, ordonnances et règlements applicables aux sujets du Pays. (812)

ARTICLE IV.

Il ne sera imposé à l'importation dans le territoire de Sa Majesté le Roi de Suède et de Norvège de tous articles produits ou fabriqués dans le territoire de Sa Majesté l'Empereur du Japon, de quelque endroit qu'ils viennent, et à l'importation dans le territoire de Sa Majesté l'Empereur du Japon de tous articles produits ou fabriqués dans le territoire de Sa Majesté le Roi de Suède et de Norvège, de quelque endroit qu'ils viennent, aucuns droits autres ou plus élevés que ceux imposés sur les articles similaires produits ou fabriqués dans tout autre pays étranger. De même, aucune prohibition ne sera maintenue ou

imposée sur l'importation dans le territoire de l'une des Parties Contractantes d'un article quelconque produit ou fabriqué dans le territoire de l'autre, de quelque endroit qu'il vienne, à moins que cette prohibition ne soit également appliquée à l'importation des articles similaires produits ou fabriqués dans tout autre pays. Cette dernière disposition n'est pas applicable aux prohibitions sanitaires ou autres provenant de la nécessité de protéger la sécurité des personnes, ainsi que la conservation du bétail et des plantes utiles à l'agriculture. (812)

ARTICLE V.

Il ne sera imposé dans le territoire de chacune des Hautes Parties Contractantes, à l'exportation d'un article quelconque à destination du territoire de l'autre, aucuns droits ou charges autres ou plus élevés que ceux qui sont ou seront payables à l'exportation des articles similaires à destination d'un autre pays étranger quel qu'il soit ; de même, aucune prohibition ne sera imposée à l'exportation d'aucun article du territoire de l'une des Parties Contractantes à destination du territoire de l'autre, sans que cette prohibition soit également étendue à l'exportation des articles similaires à destination de tout autre pays. (813)

ARTICLE VI.

Les sujets de chacune des Hautes Parties Contractantes seront exempts, dans le territoire de l'autre, de tout droit de transit et jouiront d'une parfaite égalité de traitement avec les sujets du Pays relativement à tout ce qui concerne l'emmagasinage, les primes, les facilités et les drawbacks. (813)

ARTICLE VII.

Tous les articles qui sont ou pourront être légalement importés dans les ports du territoire de Sa Majesté l'Empereur du Japon sur des navires japonais pourront, de même, être importés dans ces ports sur des navires suédois et norvégiens . dans ce cas ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les mêmes articles importés par des navires japonais. Réciproquement, tous les articles qui sont ou pourront être légalement importés dans les ports du territoire de Sa Majesté le Roi de Suède et de Norvège sur des navires suédois

et norvégiens pourront, de même, être importés dans ces ports sur des navires japonais ; dans ce cas, ces articles n'auront à payer aucuns droits ou charges, de quelque dénomination que ce soit, autres ou plus élevés que ceux imposés sur les mêmes articles importés par des navires suédois et norvégiens. Cette égalité réciproque de traitement sera accordée indistinctement, soit que ces articles viennent directement des pays d'origine, soit qu'ils viennent de tout autre lieu.

De la même manière, il y aura parfaite égalité de traitement relativement à l'exportation ; ainsi, les mêmes droits d'éxportation seront payés, et les mêmes primes et drawbacks seront accordés, dans les territoires de chacune des Hautes Parties Contractantes, sur l'exportation de tout article qui est ou pourra être légalement exporté, que cette exportation ait lieu sur des navires japonais ou sur des navires suédois et norvégiens et quelque soit le lieu de destination, qu'il soit un des ports de chacune des Parties Contractantes ou un des ports d'une Puissance tierce. (813)

ARTICLE VIII.

Aucun droit de tonnage, de port, de pilotage, de phare, de quarantaine ou autres droits similaires ou analogues, de quelque nature ou sous quelque dénomination que ce soit, levés au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers des corporations ou des établissements de toutes sortes qui ne seraient également et sous les mêmes conditions imposés, en pareil cas, sur les navires nationaux en général ou les navires de la nation la plus favorisée, ne seront imposés dans les ports des territoires de chacun des deux Pays, sur les navires de l'autre. Cette égalité de traitement sera appliquée réciproquement aux navires respectifs de quelque endroit qu'ils arrivent et quelque soit le lieu de destination. (814)

ARTICLE IX.

En tout ce qui concerne le placement, le chargement et le déchargement des navires dans les ports, bassins, docks, rades, havres ou rivières des territoires des deux Pays, aucun privilége ne sera accordé aux navires nationaux, qui ne serait également accordé aux navires de l'autre Pays, l'intention des Hautes Parties Contractantes étant que, sous ce rapport aussi, les navires respectifs soient traités sur le pied d'une parfaite égalité. (814)

ARTICLE X.

Le cabotage dans les territoires de l'une ou de l'autre des Hautes Parties Contractantes est excepté des dispositions du présent Traité, et sera régi par les lois, ordonnances et règlements du Japon et de la Suède et de la Norvège respectivement. Il est toutefois entendu que les sujets japonais dans le territoire de Sa Majesté le Roi de Suède et de Norvège, et les sujets suédois et norvégiens dans le territoire de Sa Majesté l'Empereur du Japon, jouiront, sous ce rapport, des droits qui sont ou pourront être accordés par ces lois, ordonnances et règlements aux sujets ou citoyens de tout autre pays.

Tout navire japonais chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports du territoire de Sa Majesté le Roi de Suède et de Norvège et tout navire suédois et norvégien chargé à l'étranger d'une cargaison destinée à deux ou plusieurs ports du territoire de Sa Majesté l'Empereur du Japon, pourra décharger une partie de sa cargaison dans une port, et continuer son voyage pour l'autre ou les autres ports de destination où le commerce étranger est autorisé, dans le but d'y décharger le reste de sa cargaison d'origine, en se conformant toujours aux lois et aux règlements de douane des deux Pays.

Le Gouvernement Japonais, cependant, consent à permettre aux vaisseaux suédois et norvégiens de continuer, comme précédemment pendant la période de durée du présent Traité, à transporter leurs cargaisons entre les ports actuellement ouverts de l'Empire, excepté ceux d'Osaka, Niigata et Ebisu-minato. (815)

ARTICLE XI.

Tout vaisseau de guerre ou navire de commerce de l'une ou de l'autre des Hautes Parties Contractantes qui serait forcé par un mauvais temps ou par suite de tout autre danger de s'abriter dans un port quelconque de l'autre, aura la liberté de s'y faire réparer, de s'y procurer toutes les provisions nécessaires, et de reprendre la mer, sans payer d'autres charges que celles qui seraient payées par les navires nationaux. Dans le cas, cependant, où le capitaine du navire de commerce se trouverait dans la nécessité de vendre une partie de sa cargaison pour payer les frais, il sera obligé de se conformer aux règlements et tarifs du lieu où il aurait relâché.

Si un vaisseau de guerre ou un navire de commerce de l'une des Partie Contractantes a échoué ou naufragé sur les côtes de l'autre, les Autorités

Locales en informeront le Consul Général, le Consul, le Vice-Consul ou l'Agent Consulaire du lieu de l'accident, et s'il n'y existe pas de ces officiers consulaires, elles en informeront le Consul Général, le Consul, le Vice-Consul ou l'Agent Cousulaire du district le plus voisin.

Toutes les opérations relatives au sauvetage des navires japonais naufragés ou échoués dans les eaux territoriales de Sa Majesté le Roi de Suède et de Norvège, auront lieu conformément aux lois, ordonnances et règlements de la Suède et de la Norvège et, réciproquement, toutes les mesures de sauvetage relatives aux navires suédois et norvégiens naufragés ou échoués dans les eaux territoriales de Sa Majesté l'Empereur du Japon, auront lieu conformément aux lois, ordonnances et règlements du Japon.

Tous navires ou vaisseaux ainsi échoués ou naufragés, tous débris et accessoires, toutes fournitures leur appartenant, et tous effets et marchandises sauvés desdits navires ou vaisseaux, y compris ceux qui auraient été jetés à la mer ou les produits desdits objets, s'ils sont vendus, ainsi que tous papiers trouvés à bord de ces navires ou vaissaux echoués ou naufragés, seront remis aux propriétaires ou à leurs représentants, quand ils les réclameront. Dans le cas où ces propriétaires ou représentants ne se trouveraient pas sur les lieux, lesdits produits ou objets seront remis aux Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs, sur leur réclamation, dans le délai fixé par les lois du Pays, et ces officiers consulaires, propriétaires ou représentants payeront seulement les dépenses occasionnées pour la conservation desdits objets ainsi que les frais de sauvetage ou autres dépenses auxquels seraient soumis, en cas de naufrage, les navires nationaux.

Les effets et marchandises sauvés du naufrage seront exempts de tous droits de douane, à moins qu'ils n'entrent à la douane pour la consommation intérieure, auquel cas ils payeront les droits ordinaires

Dans le cas où un navire appartenant aux sujets de l'une des Parties contractantes ferait naufrage ou échouerait sur le territoire de l'autre, les Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs seront autorisés, en l'absence du propriétaire, capitaine ou autre représentant du propriétaire, à prêter leur appui officiel pour procurer toute l'assistance nécessaire aux sujets des Etats respectifs. Il en sera de même dans le cas où le propriétaire, capitaine ou autre représentant serait présent, et demanderait une telle assistance. (185)

ARTICLE XII.

Tous les navires qui, conformément aux lois japonaises, sont considérés comme navires japonais, et tous les navires qui, conformément aux lois suédoises et norvégiennes, sont considérés comme navires suédois et norvégiens, seront respectivement considérés comme navires japonais ou suédois et norvégiens pour le but de ce Traité. (817)

ARTICLE XIII.

Si un marin déserte d'un vaisseau de guerre ou d'un navire de commerce appartenant à l'une ou l'autre des Hautes Parties Contractantes sur le territoire de l'autre, les Autorités Locales seront tenues de prêter toute l'assistance en leur pouvoir pour l'arrestation et la remise de ce déserteur, sur la demande qui leur sera adressée par le Consul du Pays auquel appartient le navire ou vaisseau du déserteur ou par le représentant dudit Consul.

Il est entendu que cette stipulation ne s'appliquera pas aux sujets du Pays, où la désertion a eu lieu. (817)

ARTICLE XIV.

Les Hautes Parties Contractantes conviennent qu'en tout ce qui concerne le commerce et la navigation, tout privilége, faveur ou immunité que l'une ou l'autre des Parties Contractantes a déjà accordé ou accorderait à l'avenir, au Gouvernement ou aux sujets ou citoyens de tout autre Etat, seront étendus immédiatement et sans condition à l'autre Partie Contractante, leur intention étant que le commerce et la navigation de chaque Pays soient placés, à tous égards, par l'autre, sur le pied de la nation la plus favorisée. (817)

ARTICLE XV.

Chacune des Hautes Parties Contractantes pourra nommer des Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents consulaires dans tous les ports, villes et places de l'autre, sauf dans les localités où il y aurait inconvénient à admettre de tels Officiers consulaires.

Cette exception ne sera cependant pas faite à l'égard de l'une des Parties Contractantes, sans l'être également à l'égard de toutes les autres Puissances.

Les Consuls Généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents con-

sulaires exerceront toutes leurs fonctions et jouiront de tous les priviléges, exemptions et immunités qui sont ou seront accordés à l'avenir aux Officiers consulaires de la nation la plus favorisée. (818)

ARTICLE XVI.

Les sujets de chacune des Hautes Parties Contractantes jouiront, sur le territoire de l'autre, de la même protection que les sujets du Pays relativement aux patentes, marques de fabrique et dessins, en remplissant les formalités prescrites par la loi. (818)

ARTICLE XVII.

Le Présent Traité prendra, du jour où il entrera en vigueur, lieu et place du Traité d'Amitié, de Commerce et de Navigation conclu le 27e jour du 9e mois de la 1ère année de Meiji, correspondant au 11 Novembre 1868 et de tous les Arrangements et Conventions subsidiairement conclus ou existant entre les Hautes Parties Contractantes, et à partir du même jour, lesdits Traité, Arrangements et Conventions cesseront d'être obligatoires, et, en conséquence, la juridiction jusqu'alors exercée par les tribunaux suédois et norvégiens au Japon et tous les priviléges, exemptions et immunités exceptionnels dont jouissaient jusqu'alors les sujets suédois et norvégiens comme une partie de cette juridiction ou comme y appartenant cesseront et prendront fin absolument et sans notification, et tous ces droits de juridiction appartiendront à partir de ce moment aux tribunaux japonais et seront exercés par ces mêmes tribunaux. (818)

ARTICLE XVIII.

Le présent Traité n'entrera en vigueur que trois ans au moins après sa signature. Il entrera en vigueur une année après que le Gouvernement de Sa Majesté l'Empereur du Japon aura notifié au Gouvernement de Sa Majesté le Roi de Suède et de Norvège son intention de mettre le dit Traité en vigueur. Cette notification pourra être faite à un moment quelconque après l'expiration de deux ans après la date de la signature. Le présent Traité restera valable pendant une période de sept ans après le jour où il entrera en vigueur.

L'une ou l'autre des Hautes Parties Contractantes aura le droit, à un moment quelconque après que six ans se seront écoulés depuis l'entrée en

vigueur de ce Traité, de notifier à l'autre, son intention de mettre fin au présent Traité, et à l'expiration de douze mois après cette notification ce Traité cessera et finira entièrement. (819)

ARTICLE XIX.

Le présent Traité sera ratifié par les Hautes Parties Contractantes et les ratifications en seront échangées à Tokio dans le plus bref délai possible et en tout cas dans le délai de douze mois à partir de la signature du Traité. (819)

En foi de quoi les Plénipotentiaires respectifs ont signé et scellé de leurs sceaux le présent Traité en deux exemplaires et en langue française.

Fait à Stockholm, le 2ème jour du 5ème mois de la 29ème année de Meiji, correspondant au deux Mai mil huit cent quatre-vingt-seize.

(L. S.) NISSI. (L. S.) DOUGLAS.

PROTOCOLE.

Le Gouvernement de Sa Majesté l'Empereur du Japon et le Gouvernement de Sa Majesté le Roi de Suède et de Norvège jugeant utile, dans l'intérêt des deux Pays, de régler certaines matières spéciales qui les concernent mutuellement, séparément du Traité de Commerce et de Navigation signé en ce jour, sont convenus, par leurs Plénipotentiaires respectifs, des dispositions suivantes :

1° Il est convenu par les Parties Contractantes qu'un mois après l'échange des ratifications du Traité de Commerce et de Navigation signé en ce jour, le Tarif d'importation aujourd'hui en vigueur relativement aux articles et marchandises importés au Japon par les sujets Suédois et Norvégiens cessera d'être obligatoire. A partir de la même date, le Tarif général en vigueur établi par la législation intérieure du Japon sera appliqué à l'importation au Japon des articles produits ou manufacturés dans le territoire de Sa Majesté le Roi de Suède et de Norvège, le tout en se conformant aux dispositions de l'article XXVI du Traité de 1868, tant que ledit Traité qui existe actuellement entre

les Parties Contractantes, restera en vigueur et aux dispositions de l'article IV du Traité signé en ce jour après que le Traité du 11 Novembre 1868 aura pris fin. Mais aucune disposition de ce Protocle n'aura pour effet de limiter le droit du Gouvernement Japonais de restreindre ou de prohiber l'importation des drogues, médecines, aliments ou boissons altérés ; des gravures, peintures, livres, cartes, gravures lithographiées ou autres, et photographies indécents ou obscènes ; des articles en violation des lois sur les patentes, les marques de fabrique ou la propriété littéraire du Japon ; ou tout autre article qui, pour des raisons sanitaires ou en vue de la sécurité ou de la morale publique, pourrait offrir des dangers. (820)

2° Le Gouvernement de Sa Majesté le Roi de Suède et de Norvège consent à ce que les divers quartiers étrangers soient complètement incorporés aux communes japonaises respectives à partir de la date où le Traité de Commerce et de Navigation signé en ce jour entrera en vigueur. Quand cette incorporation sera effectuée, ces quartiers feront intégralement partie du système municipal du Japon ; les Autorités Japonaises compétentes assumeront toutes les obligations et devoires municipaux y relatifs, et les fonds et biens municipaux appartenant auxdits quartiers seront, en même temps, transférés auxdites Autorités Japonaises. (820)

3° Le Gouvernement Japonais, en attendant l'ouverture du pays aux sujets Suédois et Norvégiens, consent à étendre le système actuel de passeports de manière à permettre aux sujets Suédois et Norvégiens, myennnant la présentation d'un certificat de recommandation délivré ou par le représentant de Suède et de Norvège à Tokio ou par les Consuls des Royaumes-Unis dans les ports ouverts du Japon, d'obtenir sur demande des passeports délivrés par le Ministère Impérial des Affaires Etrangères à Tokio ou par les autorités principales dans les préfectures où est situé un port ouvert, et valables pour toutes les parties du pays et pour une période ne dépassant pas 12 mois ; il est toutefois entendu que les stipulations et règlements qui sont actuellement appliqués aux sujets Suédois et Norvégiens se rendant dans l'intérieur de l'Empire seront maintenus. (821)

4° Les Plénipotentiaires soussignés ont convenu que ce Protocole sera soumis à l'approbation des deux Hautes Parties Contractantes en même temps que le Traité de Commerce et de Navigation signé en ce jour, et que, quand ledit Traité sera ratifié, les stipulations contenues dans ce Protocole seront

également considérées comme approuvées, sans qu'il soit nécessaire d'une ratification formelle ultérieure.

Il est également convenu que ce Protocole prendra fin en même temps que ledit Traité cessera d'être obligatoire. (821)

En foi de quoi les Plénipotentiaires respectifs ont signé et scellé de leurs sceaux le présent Protocole en deux exemplaires et en langue française.

Fait à Stokholm, le 2ème jour du 5ème mois de la 29ème année de Meiji, correspondant au deux Mai mil huit cent quatre-vingt-seize.

(L. S.) NISSI. (L. S.) DOUGLAS.

ARTICLE SÉPARÉ.

Les relations de la Suède et de la Norvège avec la Russie de même qu'avec le Danemark exigeant dans certains rapports, d'une nature purement locale, des stipulations spéciales indépendantes des règlements applicables au commerce et à la navigation étrangers en général, les deux Hautes Parties Contractantes conviennent que les dispositions spéciales y relatives contenues dans le traité passé entre la Suède et la Norvège et la Russie le 26 Avril (8 Mai) 1838, ainsi que dans d'autres conventions et arrangements entre la Suède et la Norvège et les Etats ci-dessus mentionnés, ne pourront dans aucun cas être invoquées pour modifier les relations de commerce et de navigation établies entre les deux Hautes Parties Contractantes par le présent Traité.

Le présent Article Séparé aura la même force et valeur que s'il était inséré mot à mot dans le Traité de ce jour. Il sera ratifié et les ratifications en seront échangées en même temps.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé et y ont apposé leurs cachets.

Fait à Stockholm, le 2ème jour du 5ème mois de la 29ème année de Meiji, correspondant au deux Mai mil huit cent quatre-vingt-seize. (822)

(L. S.) NISSI. (L. S.) DOUGLAS.

PROTOCOLE ADDITIONNEL.

Les Hautes Parties Contractantes sont convenues que dans le texte du Traité de Commerce et de navigation conclu entre Sa Majesté l'Empereur du Japon et Sa Majesté le Roi de Suède et de Norvège le 2 Mai 1896, de même que dans le protocole y annexé, l'expression " les deux pays " partout où cette expression se trouve, sera interprétée " les pays " (soit, le Japon, la Suède et la Norvège).

Il est en outre convenu que l'expression "le Gouvernement de Sa Majesté le Roi de Suède et de Norvège " dans ledit texte sera interprétée " Sa Majesté le Roi de Suède et de Novège."

En foi de quoi les soussignés, y dûment autorisés par leurs Gouvernements respectifs, ont dressé le présent protocole additionnel qu'ils ont signé et revêtu de leurs cachets. (822)

Fait en Double à St. Pétersbourg, le 1 Mai 1897.

(L. S.) I. MOTONO. (L. S.) G. L. REUTERSKIÖLD.

Tokio, le 16 Décembre 1905.

Monsieur le Comte,

D'ordre du Gouvernement de Sa Majesté le Roi Oscar, j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit.

Une des conséquences directes de la dissolution de l'Union entre la Suède et la Norvège est la cessation de toute communauté entre les deux pays en ce qui concerne les conventions et arrangements internationaux de toute sorte conclus en commun par eux avec une ou plusieurs Puissances. Le Gouvernement Suédois se tient donc pour dégagé de toute responsabilité du chef des obligations stipulées dans les dits conventions et arrangements communs et qui concernent la Norvège. Pour ce qui est des traités ou autres arrangements conclus au nom de Sa Majesté le Roi de Suède et de Norvège séparément pour la Norvège il est évident, que le Gouvernement de Sa Majesté n'est aucunement

responsable, après la séparation des deux états, des obligations qui en résultent pour la Norvège.

De l'autre côté, le Gouvernement Suédois est d'avis que les actes susmentionnés conclus en commun par la Suède et la Norvège continuent à sortir leurs effets pour ce qui concerne les rapports entre la Suède et la ou les autres parties contractantes, sans que la dissolution de l'Union entre la Suède et la Norvège modifie d'aucune manière les dispostions qui ont réglé jusqu'à présent ces rapports.

Le Gouvernement Suédois se réserve de faire, après une étude plus approfondie, une communication ultérieure quant à la question de savoir si et dans quelle mesure une révision des textes des traités existants est nécessaire ou utile.

En attendant, le Gouvernement Suédois considère tous les arrangements conclus par la Suède, soit séparément soit en commun avec la Norvège, comme valables sans modifications pour les rapports y visés entre la Suède et les Etats respectifs.

En priant Votre Excellence de bien vouloir m'accuser réception de la présente je saisis cette occasion, pour Vous offrir, Monsieur le Comte, les assurances renouvelées de ma très haute considération.

Signé : SWEERTS DE LANDAS.

Son Excellence

Mousier le Comte KATSURA TARO.

Ministre des Affaires Etrangères a. i.

etc., etc., etc.

Tokio.

SUISSE.

TRAITE D'AMITIÉ, D'ÉTABLISSEMENT ET DE COMMERCE.

Signé à Berne, le 10e jour du 11e mois de la 29e année de Meiji (1896); *ratifié le 16e jour du 4e mois de la 30e année de Meiji* (1897); *ratifications échangées à Berne, le 9e jour du 7e mois de la 30e année de Meiji* (1897); *et promulgué le 15e jour du 9e mois de la 30e année de Meiji* (1897).

Sa Majesté l'Empereur du Japon

et

Le Conseil fédéral de la Confédération suisse,

animés d'un égal désir de maintenir le bons rapports déjà heureusement établis entre eux, en étendant et en augmentant les relations entre les deux Etats, et persuadés que ce but ne saurait être mieux atteint que par la révision des traités jusqu'ici en vigueur entre les deux Pays, ont résolu de procéder à cette révision sur les bases de l'équité et de l'intérêt mutuel, et ont nommé à cet effet pour leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon :

Monsieur Kogoro Takahira, Envoyé extraordinaire et Ministre plénipotentiaire de Sa Majesté l'Empereur du Japon près la Confédération suisse;

Le Conseil fédéral de la Confédération suisse :

Monsieur Adolphe Deucher, Vice-Président du Conseil fédéral, Chef du Département fédéral du Commerce, de l'Industrie et de l'Agriculture,

lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les articles suivants :

ARTICLE PREMIER.

Il y aura à perpétuité, paix et amitié entre les deux Pays contractants.

ARTICLE II.

Les sujets ou citoyens de chacune des deux Hautes Parties contractantes auront toute liberté d'entrer, de voyager ou de résider en un lieu quelconque des territoires et possessions de l'autre, et y jouiront d'une pleine et entière protection pour leurs personnes et leurs propriétés.

Ils auront un accès libre et facile aux tribunaux pour la poursuite ou la défense de leurs droits ; ils auront, sur le même pied que les sujets ou citoyens du pays, la faculté de choisir et d'employer des avoués, des avocats et des mandataires afin de poursuivre et de défendre leurs droits devant ces tribunaux, et quant aux autres matières qui se rapportent à l'administration de la justice, ils jouiront de tous les droits et priviléges dont jouissent les sujets ou citoyens du pays.

Pour tout ce qui concerne le droit de résidence et de voyage, la possession des biens et effets mobiliers, de quelque espèce que ce soit, la transmission des biens mobiliers par succession testamentaire ou autre, et le droit de disposer, de quelque manière que ce soit, des biens de toutes sortes qu'ils peuvent légalement acquérir les sujets ou citoyens de chacune des deux Parties contractantes jouiront, dans les territoires et possessions de l'autre, des mêmes priviléges, libertés et droits, et ne seront soumis, sous ce rapport, à aucun impôt ou charge plus élevé que les sujets ou citoyens du pays ou les sujets ou citoyens de la nation la plus favorisée.

Les sujets ou citoyens de chacuns des Parties contractantes jouiront, dans les territoires et possessions de l'autre, d'une liberté entière de conscience, et pourront, en se conformant aux lois, ordonnances et règlements, se livrer à l'exercice privé ou public de leur culte ; ils jouiront aussi du droit d'inhumer leurs nationaux respectifs, suivant leurs coutumes religieuses, dans des lieux convenables et appropriés qui seront établis et entretenus à cet effet.

Ils ne seront contraints, sous aucun prétexte, à payer des charges ou taxes autres ou plus élevés que celles qui sont ou seront imposées aux sujets ou citoyens du pays ou aux sujets ou citoyens de la nation la plus favorisée.

Les sujets ou citoyens de chacune des Parties contractantes qui résident dans les territoires et possessions de l'autre ne seront astreints à aucun service militaire obligatoire, soit dans l'armée, soit dans la marine, soit dans la garde nationale ou la milice ; ils seront exempts de toutes contributions imposées en

lieu et place du service personnel et de tous emprunts forcés, de toutes exactions ou de contributions militaires. (826)

ARTICLE III.

Il y aura, entre les territoires et possessions des deux Hautes Parties contractantes, liberté réciproque de commerce.

Les sujets ou citoyens de chacune des Parties contractantes pourront exercer, en quelque lieu que ce soit des territoires et possessions de l'autre, le commerce en gros ou en détail de tous produits, objets fabriqués et marchandises de commerce licite, soit en personne, soit par leurs représentants, tant seuls qu'en société avec des étrangers ou des sujets ou citoyens du pays; ils pourront y posséder ou louer et occuper les maisons, les fabriques, manufactures ou ateliers, les magasins, boutiques et locaux qui peuvent leur être nécessaires, et louer des terrains à l'effet d'y résider ou d'y exercer l'industrie et le commerce, le tout en se conformant aux lois, aux règlements de police et de douane du pays, comme les nationaux eux mêmes.

Ils jouiront respectivement, en matière d'industrie, de commerce et de navigation, du même traitement que les sujets ou citoyens du pays ou de la nation la plus favorisée, sans avoir à payer aucuns impôts, taxes ou droits, de quelque nature ou dénomination que ce soit, perçus au nom ou au profit du Gouvernement, des fonctionnaires publics, des particuliers, des corporations ou établissements quelconques, autres ou plus élevés que ceux imposés aux sujets ou citoyens du pays ou de la nation la plus favorisée, en se conformant, toujours, aux lois, ordonnances et règlements de chaque pays. (827)

ARTICLE IV.

Les habitations, les fabriques, manufactures et ateliers, les magasins et boutiques des sujets ou citoyens de chacune des Hautes Parties contractantes dans les territoires et possessions de l'autre, ainsi que les terrains qui en dépendent, servant soit à la demeure, soit à l'industrie ou au commerce, seront respectés.

Il ne sera pas permis de procéder à des perquisitions ou visites domiciliaires dans ces habitations et terrains, ou bien d'examiner ou d'inspecter les livres, papiers ou comptes, sauf dans les conditions et formes prescrites par les lois, ordonnances et règlements applicables aux sujets ou citoyens du pays. (828)

ARTICLE V.

Il ne sera imposé à l'importation dans le territoire de la Confédération suisse de tous articles produits on fabriqués dans les territoires et possessions de Sa Majesté l'Empereur du Japon, de quelque endroit qu'ils viennent, et à l'importation dans les territoires et possessions de Sa Majesté l'Empereur du Japon, de tous articles produits ou fabriqués dans le territoire de la Confédération suisse, de quelque endroit qu'ils viennent, aucuns droits autres ou plus élevés que ceux imposés sur les articles similaires produits ou fabriqués dans tout autre pays étranger. De même, aucune prohibition ne sera maintenue ou imposée sur l'importation dans les territoires et possessions de l'une des Parties contractantes d'un article quelconque produit ou fabriqué dans les territoires et possessions de l'autre, de quelque endroit qu'il vienne, à moins que cette prohibition ne soit également appliquée à l'importation des articles similaires produits ou fabriqués dans tout autre pays. Cette dernière disposition n'est pas applicable aux prohibitions sanitaires ou autres provenant de la nécessité de protéger la sécurité des personnes, ainsi que la conservation du bétail et des plantes utiles à l'agriculture. (828)

ARTICLE VI.

Il ne sera imposé dans les territoires et possessions de chacune des Hautes Parties contractantes, à l'exportation d'un article quelconque à destination des territoires et possessions de l'autre, aucuns droits ou charges autres ou plus élevés que ceux qui sont ou seront payables à l'exportation des articles similaires à destination d'un autre pays étranger quel qu'il soit ; de même, aucune prohibition ne sera imposée à l'exportation d'aucun article des territoires et possessions de l'une des Parties contractantes à destination des territoires et possessions de l'autre, sans que cette prohibition soit également étendue à l'exportation des articles similaires à destination de tout autre pays. (829)

ARTICLE VII.

Le sujets ou citoyens des chacune des Hautes Parties contractantes seront exempts, dans les territoires et possessions de l'autre, de tout droit de transit, et jouiront d'une parfaite égalité de traitement avec les sujets ou citoyens du

pays, relativement à tout ce qui concerne l'emmagasinage, les primes, les facilités et les drawbacks. (829)

ARTICLE VIII.

Les objets passibles d'un droit d'entrée qui servent d'échantillons et qui sont importés dans l'un des pays contractants par des commerçants, industriels ou voyageurs de commerce de l'autre de ces pays, seront en tout temps exempts de droits d'entrée et de sortie, à la condition que ceux d'entre eux qui n'auront pas été vendus dans le délai prévu par la loi du pays, seront réexportés, et moyennant l'accomplissement des formalités douanières pour la réexportation ou la réintégration en entrepôt.

La réexportation des échantillons doit, dans les deux pays, être assurée immédiatement au lieu de leur entrée, soit par le dépôt du montant du droit de douane, soit au moyen d'une autre garantie.

Les cartes d'échantillons et les échantillons en coupures et spécimens, pour autant qu'ils ne sont propres qu'à cet usage, seront exempts de tout droit d'entrée dans les deux pays, même si leur importation a lieu d'une autre manière que celle indiquée à l'alinéa précédent. (829)

ARTICLE IX.

S'il est perçu, sur tout le territoire ou dans un rayon limité de l'un des pays contractants, un droit intérieur sur la production, la fabrication ou la consommation d'un article, que ce soit pour le compte de l'Etat, d'une commune ou d'une corporation, le même article, lorsqu'il est importé de l'autre pays contractant, dans ledit territoire ou ledit rayon, ne pourra être soumis à un droit plus élevé ou plus onéreux.

Il ne peut être prélevé aucune taxe lorsque l'article dont il s'agit n'est ni produit ni fabriqué dans ledit territoire ou ledit rayon ou lorsque cet article, quoique produit ou fabriqué dans ce territoire ou rayon, n'y est pas soumis à la même taxe. (830)

ARTICLE X.

Les Hautes Parties contractantes conviennent qu'en tout ce qui concerne le commerce, tous priviléges, faveurs ou immunités que l'une ou l'autre des Parties Contractantes a déjà accordés ou accorderait à l'avenir, au Gouverne-

ment ou aux sujets ou citoyens de tout autre Etat, seront étendus immédiatement et sans condition au Gouvernement ou aux sujets ou citoyens de l'autre Partie contractante, leur intention étant que le commerce de chaque pays soit placé, à tous égards, par l'autre, sur le pied de la nation la plus favorisée. (830)

ARTICLE XI.

Les sujets ou citoyens de chacune des Hautes Parties contractantes jouiront, sur les territoires et possessions de l'autre, de la même protection que les sujets ou citoyens du pays, relativemeut aux brevets d'invention, dessins et modèles industriels, marques de fabrique et de commerce, aux noms commerciaux ainsi qu'aux œuvres littéraires et artistiques, en remplissant les formalités prescrites par la loi. (830)

ARTICLE XII.

Les Hautes Parties contractantes sont d'accord sur l'arrangement suivant :

Les divers quartiers étrangers au Japon seront incorporés aux communes japonaises respectives, et feront dès lors partie du système municipal général du Japon.

Les autorités japonaises compétentes assumeront en conséquence toutes les obligations et tous les devoirs municipaux y relatifs, et les fonds communs et les propriétés, s'il en est, qui appartiennent auxdits quartiers, seront en même temps transférés auxdites autorités japonaises.

Lorsqu'une telle incorporation aura lieu, les baux perpétuels existants, en vertu desquels la propriété est actuellement détenue dans lesdits quartiers, seront confirmés, et aucuns impôts, taxes et conditions, de quelque nature qu'ils soient, autres que ceux contenus dans lesdits baux existants, ne seront imposés par rapport à cette propriété.

Les droits de propriété desdits immeubles peuvent être librement aliénés au profit des indigènes et des étrangers, sans qu'il soit besoin, comme en certains cas jusqu'ici, de l'autorisation des autorités consulaires ou japonaises.

Il est toutefois entendu que les autorités consulaires mentionnés dans lesdits baux seront, dans tous les cas, remplacées par les autorités japonaises.

Toutes les terres qui peuvent avoir été antérieurement concédées libres de rentes par le Gouvernement japonais pour l'usage public desdits quartiers,

seront, sauf le droit de domaine éminent, perpétuellement maintenues libres de toutes taxes et charges affectées à l'usage public pour lequel elles avaient été originairement réservées. (830)

ARTICLE XIII.

Chacune des Hautes Parties contractantes pourra nommer des Consuls généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents consulaires dans tous les ports, villes et places de l'autre, sauf dans les localités où il y aurait inconvénient à admettre de tels officiers consulaires.

Cette exception ne sera cependant pas faite à l'égard de l'une des Parties contractantes, sans l'être également à l'égard de toutes les autres Puissances.

Les Consuls généraux, Consuls, Vice-Consuls, Pro-Consuls et Agents consulaires de Suisse au Japan et ceux du Japon en Suisse auront le droit d'exercer tous les pouvoirs et toutes les fonctions que peuvent remplir, dans les pays respectifs, les officiers consulaires de la nation la plus favorisée ; et ils y jouiront de tous les priviléges, exemptions et immunités qui sont ou seront accordés à l'avenir aux officiers consulaires de la nation la plus favorisée. (831)

ARTICLE XIV.

Le présent traité prendra, du jour où il entrera en vigueur, lieu et place du traité d'amitié et de commerce, conclu le vingt neuvième jour du douzième mois de la troisième année de Bun-kiu, correspondant au six février mil huit cent soixante quatre et de l'acte d'adhésion à la convention de tarif, signé le vingt deuxième jour du troisième mois de la troisième année de Keiô, correspondant au vingt six avril mil huit cent soixante sept, et de tous les arrangements et conventions subsidiairement conclus ou existant entre les Hautes Parties contractantes, et à partir du même jour lesdits traité et acte d'adhésion, arrangements et conventions cesseront d'être obligatoires, et, en conséquence, la juridiction jusqu'alors exercée par les tribunaux consulaires suisses au Japon, et tous les priviléges, exemptions et immunités exceptionnels dont jouissaient jusqu'alors les citoyens de la Confédération suisse comme une partie de cette juridiction ou comme y appartenant, cesseront et prendront fin absolument et sans notification, et tous ces droits de juridiction appartiendront à partir de ce moment aux tribunaux japonais et seront exercés par ces même tribunaux. (832)

ARTICLE XV.

Le présent traité entrera en vigueur le 17 juillet 1899 au plus tôt. Il sortira ses effets une année après que le Gouvernement de Sa Majesté l'Empereur du Japon aura notifié au Conseil fédéral de la Confédération suisse, son intention de le mettre en vigueur. Cette notification pourra être faite en tout temps à partir du 16 juillet 1898. Le traité restera valable pendant une période de douze ans après le jour où il sera entré en vigueur.

L'une ou l'autre des Hautes Parties contractantes aura le droit, à un moment quelconque, après que onze ans se seront écoulés depuis l'entrée en vigueur de ce traité, de notifier à l'autre son intention d'y mettre fin, et à l'expiration de douze mois après cette notification, il cessera et finira entièrement. (832)

ARTICLE XVI.

Le présent traité sera ratifié par les Hautes Parties contractantes et les ratifications en seront échangées à Berne le plus tôt possible. (833)

En foi de quoi, les Plénipotentiaires l'ont signé et revêtu de leur cachet respectif.

Fait à Berne, en double expédition, le dix novembre mil huit cent quatre-vingt-seize.

(L. S.) K. TAKAHIRA.
(L. S.) DEUCHER.

PROTOCOLE.

Le Gouvernement de Sa Majeté l'Empereur du Japon et le Conseil fédéral de la Confédération suisse, jugeant utile, dans l'intérêt des deux pays, de régler certaines matières spéciales qui les concernent mutuellement, séparément du traité d'amitié, d'établissement et de commerce signé ce jour, sont convenus, par leurs Plénipotentiaires respectifs, des dispositions suivantes :

1. Ad article II du traité. Le Gouvernement japonais consent à étendre

le système actuel des passeports avant même l'ouverture du pays aux citoyens suisses, de manière à permettre à ceux-ci, sur la production d'un certificat de recommandation du représentant diplomatique ou des officiers consulaires de Suisse au Japon, d'obtenir, sur demande, du Ministère Impérial des Affaires Etangères à Tokio ou des autorités supérieures de la Préfecture dans laquelle est compris un port ouvert, des passeports valables pour une région quelconque du pays et pour une période n'excédant pas douze mois, étant entendu que les règles et règlements actuellement applicables aux ressortissants suisses qui visitent l'intérieur de l'Empire, seront maintenus. (833)

2. Ad article V du traité. Il est convenu par les Parties contractantes que six mois après l'échange des ratifications du traité d'amitié, d'établissement et de commerce signé ce jour, le tarif d'importation aujourd'hui en vigueur à l'égard des articles et marchandises importés au Japon par les citoyens suisses cessera d'être obligatoire. A partir du même moment, le tarif général établi par la loi intérieure du Japon sera applicable aux articles et marchandises produits ou manufacturés du territoire suisse sur leur importation au Japon, le tout en se conformant aux dispositions de l'article 16 du traité de 1864 existant entre les Parties contractantes tant que ledit traité restera en vigueur, et après ce moment, en se conformant aux dispositions de l'article V du traité signé en ce jour. Mais aucune disposition de ce protocole n'aura pour effet de limiter le droit du Gouvernement japonais de restreindre ou de prohiber l'importation des drogues, médecines, aliments ou boissons altérés ; des gravures, peintures, livres, cartes, gravures lithographiées ou autres et photographies indécentes ou obscènes, ou tous autres articles indécents ou obscènes ; d'articles en violation des lois japonaises sur les brevets d'invention, les marques de fabrique ou la propriété littéraire, ou de tout autre article qui, pour des raisons sanitaires ou au point de vue de la sécurité ou de la morale publique, pourra offrir quelque danger. (834)

3. Ad article XI du traité. Le Gouvernement japonais s'engage à adhérer, avant que la juridiction consulaire suisse au Japon ait pris fin, à la Convention internationale pour la protection de la propriété industrielle, signée à Paris le 20 mars 1883, et à la Convention internationale pour la protection des œuvres littéraires et artistiques, signée à Berne le 9 septembre 1886. (834)

4. Ad article XIV du traité. Il est convenu que malgré la suppression de la juridiction consulaire suisse au Japon, prévue pour l'époque où le présent

traité d'amité, d'établssement et de commerce entrera pleinement en vigueur, cette juridiction continuera à être exercée par les autorités judiciaires suisses pour toutes les affaires pendantes lors de la pleine entrée en vigueur dudit traité jusqu'à leur solution définitive.

Les Plénipotentiaires soussignés ont convenu que ce protocole sera soumis à l'approbation des deux Hautes Parties contractantes en même temps que le traité d'amitié, d'établissement et de commerce signé ce jour, et que, quand ledit traité sera ratifié, les stipulations contenues dans ce protocole seront également considérées comme approuvées, sans qu'il soit nécessaire d'une ratification formelle ultérieure. (834)

Il est également conveuu que ce protocole prendra fin en même temps que ledit traité cessera d'être obligatoire.

Fait à Berne, en double expédition, le dix novembre mil huit cent quatre-ving-seize.

Signé : K. TAKAHIRA.
Signé : DEUCHER.

DÉCLARATION.

CONCERNANT

L'INTERPRÉTATION DES ARTICLES II, III, XI, ET XII DU TRAITÉ.

Au moment de procéder à la signature du traité d'amitié, d'établissement et de commerce conclu entre le Japon et la Suisse en date de ce jour, les soussignés déclarent qu'il est bien entendu que les citoyens suisses au Japon et les sujets japonais en Suisse sont placés sur le pied de la nation la plus favorisée :

1. A l'égard de l'acquisition des droits d'emphytéose, de superficie et des autres droits réels sur les biens-fonds, dans les buts visés par les articles II et III du traité, ainsi qu'à l'égard de la conversion des droits per-

sonnels du bail des biens-fonds en droits réels par leur enregistrement dans les registres destinés à cet effet.

2. A l'égard de l'acquisition et de la possession des droits d'hypothèque sur les propriétés immobilières.
3. A l'égard du maintien, après l'expiration du traité, des droits légalement acquis avant sa mise en vigueur ou pendant sa durée.

Il est en outre entendu que la protection de la propriété industrielle, visée à l'article XI (brevets d'invention, dessins et modèles industriels, marques de fabrique et de commerce, raisons sociales et noms commerciaux) entrera en vigueur le jour d'échange des ratifications du présent traité. (835)

Fait à Berne, en double expédition, le dix novembre mil huit cent quatre-vingt-seize.

Signé : K. TAKAHIRA.
Signé : DEUCHER.

SUPPLEMENT.

Ce Supplément contient les Conventions, Notes diplomatiques, etc. qui sont publiées après le mois de Juillet 1908, c'est-à-dire pendant l'impression de ce Recueil.

SUPPLÉMENT.

CONVENTION BETWEEN JAPAN AND THE UNITED STATES OF AMERICA FOR THE PROTECTION IN KOREA OF INVENTIONS, DESIGNS, TRADE-MARKS AND COPYRIGHTS.

Signed at Washington, 19th day of 5th month, Ratified and Ratifications exchanged 6th day of 8th month, and Promulgated 12th day of 8th month, 41st year of Meiji (1908).

His Majesty the Emperor of Japan and the President of the United States of America being desirous to secure in Korea due protection for the inventions, designs, trade-marks and copyrights of their respective subjects and citizens have resolved to conclude a convention for that purpose and have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His Ambassador Extraordinary and Plenipotentiary to the United States of America; and

The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following articles:—

ARTICLE I.

The Japanese Government shall cause to be enforced in Korea simultaneously with the operation of this convention, laws and regulations relative to inventions, designs, trade-marks and copyrights similar to those which now exist in Japan.

These laws and regulations are to be applicable to American citizens in Korea equally as to Japanese and Korean subjects. In case the existing laws and regulations of Japan referred to in the preceding paragraph shall hereafter

be modified, those laws and regulations enforced in Korea shall also be modified according to the principle of such new legislation.

ARTICLE II.

The Government of the United States of America engages that in case of the infringement by American citizens of invention, designs, trade-marks or copyrights entitled to protection in Korea, such citizens shall in these respects be under the exclusive jurisdiction of the Japanese courts in Korea, the extra-territorial jurisdiction of the United States being waived in these particulars.

ARTICLE III.

Citizens of possessions belonging to the United States shall have in respect to the application of the present convention the same treatment as citizens of the United States.

ARTICLE IV.

Korean subjects shall enjoy in the United States the same protection as native citizens in regard to invention, designs, trade-marks and copyrights upon the fulfillment of the formalities prescribed by the laws and regulation of the United States.

ARTICLE V.

Inventions, designs, trade-marks and copyrights duly patented or registered in Japan by citizens of the United States prior to the enforcement of the laws and regulations mentioned in Article I. hereof shall without further procedure be entitled under the present convention to the same protection in Korea as is or may hereafter be there accorded to the same industrial and literary properties similarly patented or registered by Japanese or Korean subjects.

Inventions, designs, trade-marks and coyprights duly patented or registered in the United States by subjects or citizens of either High Contracting Party or by Korean subjects prior to the operation of the present convention shall similarly be entitled to patent or registration in Korea without the payment of any fees, provided that said inventions, designs, trade-marks and copyrights are of such a character as to permit of their patent or registration under the

laws and regulations above mentioned and provided further that such patent or registration is effected within a period of one year after this convention comes into force.

ARTICLE VI.

The Japanese Government engages to extend to American citizens the same treatment in Korea in the matter of protection of their commercial names as they enjoy in the dominions and possessions of Japan under the convention for the protection of industrial property signed at Paris March 20, 1883.

"Hong" marks shall be considered to be commercial names for the purpose of this convention.

ARTICLE VII.

The present convention shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible. It shall come into force ten days after such exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the present convention in duplicate, and have thereunto affixed their seals.

Done at the City of Washington the 19th day of the 5th month of the 41st year of Meiji, corresponding to the 19th day of May in the nineteen hundred and eighth year of the Christian era.

K. TAKAHIRA. (L. S.)
ROBERT BACON. (L. S.)

CONVENTION BETWEEN JAPAN AND THE UNITED STATES OF AMERICA FOR THE RECIPROCAL PROTECTION IN CHINA OF INVENTIONS, DESIGNS, TRADE-MARKS AND COPYRIGHTS.

Signed at Washington, 19th day of 5th month, Ratified and Ratifications exchanged 6th day of 8th month, and Promulgated 12th day of 8th month, 41st year of Meiji (1908).

His Majesty the Emperor of Japan and the President of the United States of America being desirous to secure in China reciprocal protection for the inventions, designs, trade-marks and copyrights of their respective subjects and citizens have resolved to conclude a convention for that purpose and have named as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His Ambassador Extraordinary and Plenipotentiary to the United States of America; and

The President of the United States of America, Robert Bacon, Acting Secretary of State of the United States;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following articles:—

ARTICLE I.

Invention, designs and trade-marks duly patented or registered by subjects or citizens of one High Contracting Party in the appropriate office of the other Contracting Party shall have in all parts of China the same protection against infringement by subjects or citizens of such other Contracting Party as in the dominions and possessions of such other Contracting Party.

ARTICLE II.

The subjects or citizens of each of the two High Contracting Parties shall enjoy in China the protection of copyright for their works of literature and art as well as photographs to the same extent as they are protected in the dominions and possessions of the other party.

ARTICLE III.

In case of infringement in China by a subject or citizen of one of the two High Contracting Parties of any invention, design, trade-mark or copyright entitled to protection in virtue of this convention the aggrieved party shall have in the competent territorial or consular courts of such Contracting Party the same rights and remedies as subjects or citizens of such Contracting Party.

ARTICLE IV.

Each High Contracting Party engages to extend to the subjects or citizens of the other Contracting Party the same treatment in China in the matter of protection of their commercial names as they enjoy in the dominions and possessions of such Contracting Party under the convention for the protection of industrial property signed at Paris March 20, 1883. "Hong" marks shall be considered to be commercial names for the purpose of this convention.

ARTICLE V.

Subjects of Korea and citizens of possessions belonging to the United States shall have in China the same treatment under the present convention as subjects of Japan and citizens of the United States respectively.

ARTICLE VI.

It is mutually agreed between the High Contracting Parties that the present convention shall be enforced so far as applicable in any other country in which either Contracting Party may exercise extraterritorial jurisdiction.

All rights growing out of the present convention shall be recognized in the insular and other possessions and leased territories of the High Contracting Parties and all legal remedies provided for the protection of such rights shall be duly enforced by the competent courts.

ARTICLE VII.

Any person amenable to the provisions of this convention who possesses at the time the present convention comes into force merchandise bearing an imitation of a trade-mark owned by another person and entitled to protection

under said convention shall remove or cancel such false trade-mark or withdraw such merchandise from market in China within six months from the date of the enforcement of this convention.

ARTICLE VIII.

Unauthorized reproductions by the subject or citizens of one High Contracting Party prior to the operation of this convention of the works of literature and art as well as photographs of the subjects or citizens of the other Contracting Party published after the 10th day of May, 1906, and entitled to protection in virtue of this convention shall be withdrawn from sale or circulation in China within one year from the date of the enforcement of this convention.

ARTICLE IX.

The present convention shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible. It shall come into force together with the convention relative to the protection of inventions, designs, trademarks and copyrights in Korea, ten days after such exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the present convention in duplicate and have therunto affixed their seals.

Done at the City of Washington the 19th day of the 5th month of the 41st year of Meiji corresponding to the 19th day of May in the nineteen hundred and eighth year of the Christian era.

K. TAKAHIRA. (L. S.)
ROBERT BACON. (L. S.)

ARBITRATION CONVENTION BETWEEN JAPAN AND THE UNITED STATES.

Signed at Washington, 5th day of 5th month, Ratified 20th day of 7th month, Ratifications exchanged 24th day of 8th month, and Promulgated 11th day of 9th month, 41st year of Meiji (1908).

His Majesty the Emperor of Japan and the President of the United States of America, taking into consideration the fact that the High Contracting Parties to the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899, have reserved to themselves, by Article XIX. of that Convention, the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment, have resolved to conclude an Arbitration Convention between the two countries, and for the purpose have named as their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan, Baron Kogoro Takahira, Shosammi, Grand Cordon of the Imperial Order of the Rising Sun, His Ambassador Extraordinaey and Plenipotentiary to the United States of America ; and

The President of the United States of America, Elihu Root, Secretary of State of the United States of America ;

Who, after having communicated to each other their Full Powers, found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honour of the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II.

In each individual case the High Contracting Parties, before appealing to to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements will be made on the part of the United States by the President of the United States by and with the advice and consent of the Senate thereof.

Such agreements shall be binding only when confirmed by the two Governments by an Exchange of Notes.

ARTICLE III.

The present Convention shall remain in force for the period of five years from the date of the exchange of the ratifications.

ARTICLE IV.

The present Convention shall be ratified by the High Contracting Parties, and the ratifications thereof shall be exchanged at Washington as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the present Convention, and have thereunto affixed their seals.

Done at the City of Washington, in duplicate, this fifth day of the fifth month of the forty-first year of Meiji, correspondihng to the fifth day of May, one thousand nine hundred and eight.

(L. S.) K. TAKAHIRA.
(L. S.) ELIHU ROOT.

DETERMINATION OF THE TREATY RELATIONS BETWEEN JAPAN AND QUEENSLAND.

British Embassy, July 31, 1908.

Monsieur le Ministre,

I have the honour, in accordance with instructions which I have received from His Majesty's Government, to give to the Japanese Government formal notice of the intended determination of the adherence of Queensland to the Anglo-Japanese Treaty of 1894. This notice is given at the request of the Government of the Commonwealth of Australia with the concurrence of the Queensland Government and in accordance with the provisions of Article II. of the Protocol* signed at Tokio on March 16, 1897 by Count Okuma and Sir E. Satow under the terms of which the Treaty shall cease to be binding, as between Japan and Queensland, at the expiration of twelve months after notice has been given on either side of a desire to terminate the same.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

(Signed) CLAUDE M. MACDONALD.

His Excellency
General Viscount TERAUCHI,
Minister for Foreign Affairs,
etc., etc., etc.

See page 401.

CONVENTION CONSULAIRE ENTRE LE JAPON ET LES PAYS-BAS EN CE QUI CONCERNE LES POSSESSIONS ET COLONIES NEERLANDAISES.

Signée à La Haye, le 27e jour du 4e mois de la 41e année de Meiji (1908); *Ratifications échangées, le 31e jour du 1e mois de la 41e année de Meiji* (1908); *et Promulguée le 6e jour du 8e mois de la 41e année de Meiji* (1908).

Sa Majesté l'Empereur du Japon et Sa Majesté la Reine des Pays-Bas, jugeant qu'il est désirable qu' indépendamment du Traité de Commerce et de Navigation entre le Japon et les Pays-Bas, une convention spéciale détermine les droits, devoirs, pouvoirs, privilèges, exemptions et immunités des fonctionnaires consulaires japonais dans les possessions ou colonies des Pays-Bas, ont nommé, afin de conclure la dite convention, pour Leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur du Japon : Sato Aimaro, Jushii, décoré de la 2e classe de l'Ordre Impérial du Soleil Levant, etc., etc., Son Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye,

et Sa Majesté la Reine des Pays-Bas : le Jonkheer R. de Marees van Swinderen, Chevalier de Son ordre du Lion Néerlandais, etc., etc., Son Ministre des Affaires Etrangères ;

lesquels, après s'être communiqué réciproquement leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants :

ARTICLE PREMIER.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires du Japon seront admis dans tous les ports des possessions d'outre-mer ou colonies des Pays-Bas où résident ou résideront des agents de la même catégorie de toute autre nation étrangère.

ARTICLE II.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires du Japon seront considérés comme des agents commerciaux, protecteurs du commerce de leurs nationaux dans leur arrondissement consulaire.

Ils résideront dans les ports des possessions d'outre-mer ou colonies des Pays-Bas indiqués dans leur commission et seront soumis aux lois tant civiles que pénales de ces possessions ou colonies, sauf les exceptions que la présente convention établit en leur faveur.

ARTICLE III.

Avant d'être admis à l'exercice de leurs fonctions et de jouir de tous les pouvoirs, privilèges, exemptions et immunités qui y sont attachés, les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires doivent présenter au Gouvernement de Sa Majesté la Reine des Pays-Bas une commission, indiquant leur arrondissement consulaire et le lieu de leur résidence.

Le Gouvernement de la possession ou de la colonie leur délivrera, sans aucun frais, l'exequatur, dûment contresigné, nécessaire à l'exercice de leurs fonctions ; et sur l'exhibition de cette pièce, les dits fonctionnaires consulaires de tout grade auront droit à la protection du Gouvernement et à l'assistance des autorités locales pour assurer le libre exercice de leurs fonctions.

Le Gouvernement da la Reine se réserve la faculté de retirer l'exequatur ou de le faire retirer par le Gouverneur de la possession ou de la colonie, en indiquant les motifs de cette mesure.

En cas de décès, d'empêchement ou d'absence des Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires, leurs Elèves-Consuls, Chanceliers ou Secrétaires, après que leur caractère officiel aura été notifié à et approuvé par l'autorité compétente, seront de plein droit admis à gérer, par interim, les affiaires des postes respectifs ; ils jouiront, pendant toute la durée de cette gestion temporaire, pour autant que leur position comme étrangers non-commerçants y donne lieu, conformément à l'article XV, de tous les droits, pouvoirs, privilèges, exemptions et immunités accordés aux titulaires.

ARTICTE IV.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires sont autorisés à placer au-dessus de la porte extérieure de leur demeure un écusson aux armes de leur Gouvernement, avec la légende : Consulat Général, Consulat, Vice-Consulat ou Agence Consulaire du Japon.

Il est bien entendu que ces marques extérieures ne pourront jamais être

considérées comme donnant droit d'asile, ni comme pouvant soustraire la maison et ceux qui l'habitent, aux poursuites de la justice territoriale.

ARTICLE V.

Il est entendu que les archives et documents relatifs aux affaires consulaires seront protégés contre toute recherche, et qu'aucune autorité ni aucun magistrat ne pourra les visiter, les saisir ou s'en enquérir d'une manière quelconque et sous aucun prétexte.

ARTICLE VI.

Les Consuls Généraux, Consuls, Vice-Consuls, et Agents Consulaires ne sont investis d'aucum caractère diplomatique.

Aucune demande ne pourra être adressée au Gouvernement Néerlandais que par l'entremise de l'agent diplomatique accrédité à La Haye.

En cas d'urgence, les Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires pourront recourir directement au Gouverneur de la possession ou de la colonie prouvant l'urgence et exposant les motifs pour lesquels la demande ne pourrait être adressée aux autorités subalternes, ou en démontrant que les demandes antérieurement adressées à ces autorités, seraient restées sans effet.

ARTICLE VII.

Les Consuls Généraux et Consuls pourront nommer des Agents Consulaires dans les ports mentionnés à l'article I.

Ces Agents Consulaires pourront être indistinctement des sujets Japonais, des Néerlandais, ou des nationaux de tout autre pays, résidant ou pouvant, aux termes des lois locales, être admis à fixer leur résidence dans le port où l'Agent Consulaire sera nommé. Ces Agents Consulaires, dont la nomination sera soumise à l'approbation du Gouverneur de la possession ou colonie, seront munis d'un brevet délivré par le Consul, sous les ordres duquel ils exerceront leurs fonctions.

Le Gouverneur de la possession ou de la colonie peut, en tout cas, retirer aux Agents Consulaires, en communiquant au Consul Général ou Consul les motifs d'une telle mesure, l'approbation dont il vient d'être parlé.

ARTICLE VIII.

Le passeport délivré ou visé par les fonctionnaires consulaires ne dispense nullement le porteur de l'obligation de se munir de tous les actes, requis par les lois ou règlements locaux pour voyager ou s'établir dans les possessions ou colonies, et ne porte aucun préjudice à l'exercice du droit que possède le Gouvernement de la possession ou colonie, d'y interdire le séjour ou d'en ordonner l'éloignement de tout individu muni d'un passeport.

ARTICLE IX.

Toutes les opérations relatives au sauvetage des navires japonais naufragés sur les côtes d'une des possessions ou colonies des Pays-Bas seront dirigées par les Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires du Japon.

L'intervention des autorités locales aura seulement lieu pour maintenir l'ordre, garantir les intérêts des sauveteurs, s'ils sont étrangers aux équipages naufragés, et assurer l'exécution des dispositions à observer pour l'entrée et la sortie des marchandises sauvées.

En l'absence et jusqu'a l'arrivée des Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires, les autorités locales devront d'ailleurs prendre toutes les mesures nécessaires pour la protection des individus et la conservation des effets naufragés.

Il est de plus convenu que les marchandises sauvées ne seront tenues à aucun droit de douane à moins qu'elles ne soient admises à la consommation intérieure.

ARTICLE X.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires peuvent requérir l'assistance des autorités locales pour l'arrestation, la détention et l'emprisonnement des déserteurs des navires Japonais, marchands ou de guerre. A cet effet, ils adresseront par écrit aux autorités compétentes la demande de ces déserteurs, et si la preuve est rapportée par les régistres du navire, les rôles d'équipage ou par tout autre document authentique, que les hommes réclamés faisaient partie de l'équipage, la remise des déserteurs ne pourra leur être refusée, à moins que l'individu dont il s'agit ne soit sujet Néerlandais.

Les autorités locales seront tenues d'exercer toute leur autorité pour faire

arrêter les déserteurs. Après leur arrestation, ceux-ci seront mis à la disposition des dits fonctionnaires consulaires et pourront être détenus à la réquisition et aux frais de ceux qui les réclament, pour être ensuite renvoyés à bord des navires auxquels ils appartiennent, ou d'un autre navire de la même nation. Néanmoins, si ces déserteurs ne sont pas renvoyés dans les quatre mois à partir du jour de leur arrestation, ils seront mis en liberté et ne pourront plus être arrêtés du même chef.

Il est entendu, toutefois, que la remise du déserteur qui aurait commis quelque crime, délit ou contravention sera renvoyée jusqu'à ce que le tribunal des possessions, des colonies ou de la mère-patrie, saisi de l'affaire, ait rendu la sentence et que celle-ci ait été exécutée.

ARTICLE XI.

A moins de stipulations contraires entre les armateurs, chargeurs et assureurs, toutes avaries essuyées à la mer par les navires japonais, soit qu'ils abordent volontairement au port, soit qu'ils se trouvent en relâche forcée, seront réglées par les Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires du Japon.

Si, cependant, le fonctionnaire consulaire a quelque intérêt dans le navire ou la cargaison, ou s'il en est agent ou si des sujets des Pays-Bas ou des sujets ou citoyens d'une tierce nation se trouvaient intéressés dans les dites avaries et que les parties ne pussent s'entendre à l'amiable, le recours à l'autorité locale compétente serait de droit.

ARTICLE XII.

Lorsqu'un sujet japonais vient à décéder dans les possessions ou dans les colonies des Pays-Bas sans héritiers ni exécuteurs testamentaires connus, les autorités néerlandaises chargées d'après les lois ou ordonnances de la possession ou de la colonie de l'administration de la succession, en donneront immédiatement avis aux fonctionnaires consulaires du Japon afin de transmettre aux intéressés les informations nécessaires ; ceux-ci, de leur côté, deveront donner les mêmes informations aux dites autorités lorsqu'ils seront informés les premiers.

L'autorité locale compétente complétera le dit avis par la remise d'une expédition, en due forme et sans frais, de l'acte de décès.

ARTICLE XIII.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires du Japon auront le droit de recevoir, dans leurs chancelleries, dans leur demeure privée, dans celle des sujets intéressés de leur pays ou à bord des bâtiments de leurs pays, les déclarations des capitaines et équipages des navires de leur pays, des passagers qui se trouvent à bord, et de tout autre sujet de leur pays.

ARTICLE XIV.

Les Consuls Généraux, Consuls, Vice-Consuls ou Agents Consulaires du Japon seront exclusivement chargés de l'ordre intérieur à bord des navires de commerce de leur nation.

Ils connaîtront seuls de tous les différends, qui se seront élevés en mer ou qui s'élèveront dans les ports entre le capitaine, les officiers et les hommes de l'équipage, y compris ceux qui concernent le règlement des salaires et l'exécution des engagements réciproquement consentis.

Les tribunaux ou les autres autorités de la possession ou de la colonie ne pourront à aucun titre s'immiscer dans ces différends à moins que ceux-ci ne soient de nature à troubler la tranquillité et l'ordre public à terre ou dans le port, que des personnes étrangères à l'équipage ne s'y trouvent mêlées, ou que les Consuls Généraux, Consuls, Vice-Conusls et Agents Consulaires ne requièrent l'assistance des dites autorités pour mettre leurs décisions à exécution ou en maintenir l'autorité.

ARTICLE XV.

Pour autant qu'au Japon les mêmes faveurs seront accordées réciproquement aux Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires des Pays-Bas, les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires du Japon, qui n'exercent pas le commerce ni aucune fonction ou profession autre que leurs fonctions consulaires, seront exempts de tous les services militaires, réquisitions ou logements militaires, impositions pécuniaires au lieu du service militaire ou de l'impôt personnel, ainsi que de toutes les impositions générales ou municipales ayant un caractère personnel, à moins qu'ils ne soient sujets néerlandais. Cette exemption ne peut jamais s'étendre aux droits de douane ou autres impôts indirects ou réels.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires qui ne sont pas sujets néerlandais, sont, même s'ils ne tombent sous les stipulations du premier alinéa de cet article, exempts de tous les services militaires, de réquisitions militaires et de toutes impositions pécuniaires, au lieu du service militaire, en tant qu'au Japon le même privilège est accordé aux Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires des Pays-Bas.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires, sujets des Pays-Bas, mais auxquels il a été accordé d'exercer des fonctions consulaires, conférées par le Gouvernement Japonais, sont obligés d'acquitter toutes les impositions ou contributions de quelque nature qu'elles puissent être.

ARTICLE XVI.

Les Consuls-Généraux, Consuls, Vice-Consuls et Agents Consulaires, de même que les Elèves-Consuls, les Chanceliers et les Secrétaires du Japon jouiront de tous les autres pouvoirs, privilèges, exemptions et immunités dans les possessions ou colonies des Pays-Bas, qui sont ou seront accordés par la suite aux agents du même rang de la nation la plus favorisée.

ARTICLE XVII.

La présente Convention est conclue pour un terme de cinq ans, et sera mise en vigueur à partir du dixième jour après l'échange des ratifications, lequel aura lieu à Tokio dans le délai de quatre mois après la signature de la Convention ou plus tôt si faire se peut.

A moins qu'une des deux Hautes Parties contractantes n'ait notifié à l'autre, au moins un an avant ce terme, son intention d'en faire cesser les effets, la Convention restera en vigueur jusqu'à l'expiration d'une année après la dénonciation faite par l'une des Hautes Parties contractantes.

En foi de quoi, les Plénipotentiaires respectifs ont signé la présente Convention et y ont apposé le sceau de leurs armes.

Fait à La Haye, le vingt septième jour du quatrième mois de la quarante et unième année de Meiji, correspondant au vingt septième jour du mois d'avril 1908.

(L. S.) AIMARO SATO.

(L. S.) R. de MAREES VAN SWINDEREN.

АКТЪ.

РАЗГРАНИЧЕНІЯ ОСТРОВА САХАЛИНА МЕЖДУ РОССІЕЙ И ЯПОНІЕЙ.

Русско-Японская Разграничительная Комиссія острова Сахалина, составленная изъ равнаго числа членовъ, при Предсѣдателѣ съ Русской Стороны Генеральнаго Штаба Полковникѣ Лилѣевѣ и съ Японской Стороны Генералъ-Маіорѣ Осима, согласно 9 статьи Портсмутскаго договора 23 Авуста 1905 г., II дополнительной къ нему статьи и инструкцій, полученныхъ отъ своихъ Правительствъ, въ теченіе 1906 и 1907 года опредѣлила и обозначила на мѣстности постоянными знаками граничную линію между владѣніями Русскими и Японскими на островѣ Сахалинѣ нижеслѣдующимъ образомъ:

I. Граница Россіи и Японіи на островѣ Сахалинѣ проведена по 50[й] параллели сѣверной широты.

II. Пятидесятая параллель сѣверной широты путемъ астрономическихъ наблюденій опредѣлена на мѣстности, на протяженіи отъ Охотскаго моря до Татарскаго пролива, въ 4[хъ] пунктахъ:

1. на востчномъ берегу острова Сахалина, омываемомъ Охотскимъ моремъ, въ урочищѣ Наруми,
2. въ центральной части острова Сахалина на правомъ берегу рѣки Пороная, въ урочищѣ Сакай,
3. въ центральной же части острова Сахалина южнѣе поселенія Хандасы 2[й], въ урочищѣ Хосино и
4. на западномъ берегу оотрова Сахалина, омываемомъ Татарскимъ проливомъ, южнѣе бухты Пилево, въ урочищѣ Абоси.

III. Въ указанныхъ четырехъ пунктахъ установлены болшіе каменные столбы, на бетонныхъ основаніяхъ, занумерованные съ востока отъ I до IV и названные астрономическими граничными

столбами; они служатъ главнымъ основаніемъ для опредѣленія граничной линіи.

IV. Между означенными астрономическими пунктами граничная линія, соотвѣтствующая на мѣстности 50й параллели, опредѣлена путемъ геодезическимъ; въ 17 пунктахъ этой линіи поставлены на бетонныхъ основаніяхъ малые каменные столбы, названые промежуточными граничными столбами и занумерованные съ востока отъ I до 17го.

V. Въ нѣкоторыхъ мѣстахъ между промежуточными Граничными каменными столбами установлены деревянные столбы для лучшаго указанія населенію границы.

VI. По всей граничной линіи прорублена просѣка, шириною въ 10 метровъ; сверхъ того, отъ IV астрономическаго Граничнаго столба до западнаго берега вырытъ ровъ шириной въ полтора метра.

VII. Окрестности астрономическихъ пунктовъ, на разстояніи одного квадратнаго километра, сняты въ масштабѣ $\frac{1}{10000}$; равнымъ образомъ сняты планы всей пограничой полосы на протяженіи отъ границы на 2 километра къ сѣверу и 2 километра къ югу въ масштабѣ $\frac{1}{40000}$.

VIII. Составлено описаніе границы съ приложеніемъ къ нему общей ка карты пограничной 4хъ километровой полосы въ масштабѣ $\frac{1}{20000}$.

IX. Произведено обслѣдованіе морскихъ полосъ, омывающихъ островъ Сахалинъ южнѣе 50й параллели, которымъ выяснено, что кромѣ нѣсколькихъ камней изъ которыхъ болѣе значительный „Каменъ Опасности“, къ южной части Сахалина прилегаютъ только два острова: Монеронъ (Тодомосири) и Тюленій (Робенъ). Составленъ перечень и описаніе упомянутыхъ острововъ, произведено опредѣленіе ихъ географическаго положенія и сдѣлана съемка ихъ въ масштабѣ $\frac{1}{40000}$.

X. Даны названія нѣкоторымъ наиболѣе важнымъ горамъ и рѣчкамъ, находящимся на границѣ и не имѣвшимъ названія.

XI. Утверждены подписями изготовленные на русскомъ и япон-

скомъ языкахъ, по 2 экземпляра на каждомъ, нижепоименованны документы и планы, вычерченные въ условныхъ знакахъ обоихъ Государствъ.

Закончивъ возложенную работу, Предсѣдатели Разграничительной Комиссіи: съ Русской Стороны-Полковникъ Лилѣевъ, съ Японской Стороны-Генералъ-Маіоръ Осима, въ присутствіи членовъ Комиссіи, въ засѣданіи $\frac{28 \text{ Марта}}{10 \text{ Апрѣля}}$ 1908 года въ г. Владивостокѣ, составили настоящій актъ на русскомъ и японскомъ языкахъ, по два экземпляра на каждомъ, и, утвердивъ его своими подписями, обмѣнялись однимъ экземпляромъ этого акта, вмѣстѣ съ однимъ экземпляромъ нижепоименованныхъ документовъ, для представленія таковыхъ своимъ Правительствамъ въ двухъ текстахъ, русскомъ и японскомъ.

СПИСОКЪ ДОКУМЕТОВЪ:

. Планы пограничной полосы въ масштабѣ $\frac{1}{10000}$ на 8^ми^ листахъ со сборнымъ листомъ и гистопъ условныхъ знаковъ.

2. Планы окрестностей 4^хъ^ астрономическихъ пунктовъ въ масштабѣ $\frac{1}{10000}$ на 4^хъ^ листахъ.

3. Описаніе и чертежи граничныхъ каменныхъ столбовъ и деревянныхъ столбовъ.

4. Описаніе границы Сахалина съ общей картой въ масштабѣ $\frac{1}{200000}$.

5. Перечень острововъ, прилегающихъ къ острову Сахалину южнѣе 50^й^ параллели сѣверной широты.

6. Планы острововъ Монерона н Тюленьяго въ масщтатбѣ $\frac{1}{40000}$ на 2^хъ^ листахъ.

7. Описаніе острововъ Монерона и Тюленьяго, съ приложеніемъ результатовъ астрономическихъ опредѣленій этихъ острововъ.

8. Документы, касающіеся астрономическихъ н геодезическихъ работъ:

а. Чертежъ расположенія четырехъ астрономическихъ граничныхъ столбовъ относительно обсерваціонныхъ пунк-

товъ, на 4 листахъ, съ приложеніемъ результатовъ астрономическихъ опредѣленій на 4 же листахъ.

б. Чертежъ граничной линіи между I и II астрономическими граничными столбами, съ приложеніемъ объяснительной записки о проектированіи граничной линіи; чертежъ составленъ Русскою Стороною Комиссіи.

в. Чертежъ граничной линіи между II, III и IV астрономическими граничиыми столбами; чертежъ составленъ Японскою Стороною Комиссіи.

9. Акты 9тн общихъ и 4хъ спеціальныхъ засѣданій Комиссіи (13 экземпляровъ).

Предсѣдатель Комиссіи съ Русской
Стороны, Генеральнаго Штаба.

ПОЛХОВНИКЛ ЛИЛѢЕВЪ.

日本構太境界劃定委員大島健一

Tokio, le 24 Juillet/6 Aout 1908.

№ 417.

MONSIEUR LE VICOMTE.

Conformément à l'article 9 du Traité de Portmouth signé le 23 Aout/5 Septembre 1905, ainsi qu'à l'article 2 additionnel au même Traité, il fut procédé par la Commission de délimitation institutée en vertu des dispositions de ce dernier article, à la démarcation sur les lieux d'une manière permanente de la ligne exacte entre les possessions russes et japonaises de l'île de Sakhaline. Le résultat de ladite délimitation a été consigné dans un acte dréssé par les Commissions des deux parties à Vladivostok le 28 Mars/10 Avril 1908, ainsi que dans les documents et plans y énumérés.

Les travaux de cette Commission devant être, en vertu de l'article 2 additionnel précité, soumis à l'approbation des Gouvernements respectifs, j'ai l'honneur de porter à la connaissance de Votre Excellence que mon Gouvernement a décidé d'approuver ledit acte de délimitation, de même que les documents et plans y énumérés, à condition toutefois qu'une approbation semblable soit donnée par le Gouvernement Impérial du Japon.

Je suis en même temps chargé de m'adresser à l'obligeant intermédiaire de Votre Excellence afin de constater si cet acte et ces documents et plans sont également reconnus par le Gouvernement Impérial du Japon comme indiquant la ligne exacte entre les possessions russes et japonaises de l'île de Sakhaline.

Venillez agieer, Monsieur le Vicomte, les assurances de ma plus haute considération.

Signé : N. MALEWSKY-MALÉWITCH.

Son Excellence
Monsieur le Vicomte Téraoutsi,
Ministre des Affaires Etrangères.

APPENDIX.

APPENDIX.

CUSTOMS TARIFF LAW.

(*Law No. 19, promulgated on the 30th, March, 1906.*)

Art. I. Upon articles imported from foreign countries import duties shall be imposed according to the annexed tariff.

Art. II. With regard to those articles in respect of which it is found advisable to replace the *ad valorem* duties by specific duties, such duties may be converted on the basis of the average values for a period of not less than six months and determined by Imperial Ordinance.

The rates of the specific duties mentioned in the preceding paragraph may be determined by subdividing the articles or by gross weight.

Art. III. With regard to the productions of regions to which Conventional Tariff rates are not applicable, such regions and articles may, in case of necessity, be named by Imperial Ordinance and rates of duty fixed in respect thereof within limits not falling below the Conventional Tariff rates.

Art. IV. With respect to the productions of a country in which Japanese vessels or productions are subjected to a more disadvantageous treatment than the vessels or productions of other countries, the articles may be named by Imperial Ordinance, whereby may be imposed on dutiable articles a surtax not exceeding in amount the rate of duty prescribed in the present Law and upon duty-free articles an import duty not exceeding fifty per cent. *ad valorem.*

Art. V. In respect of articles on which an export bounty is granted in foreign countries a surtax of the same amount as the said bounty may be imposed by Imperial Ordinance.

Art. VI. The dutiable value of an article subject to *ad valorem* duty shall be the actual cost thereof at the place of production or purchase with the addition of packing charges, cost of transportation, insurance, and all other charges incurred up to its arrival at the port of importation ; however, in case

of doubt respecting the actual cost and the various charges, the balance after deducting the import duty from the price of the article at the port of importation shall be taken as the dutiable value thereof.

Art. VII. The following articles are exempted from import duty:

1. Articles imported for Imperial use;
2. Articles belonging to chiefs of foreign states visiting this country, their families and suites;
3. Arms, ammunition, and explosives imported by the Army or the Navy;
4. Warships;
5. Articles intended for the personal use of foreign Ambassadors and Ministers accredited to this country;
6. Orders or decorations, medals, and badges sent to persons resident in this country;
7. Records, documents, and other papers;
8. Articles imported as specimens or objects for the purpose of reference which are to be exhibited in Government or public schools, museums, commercial museums, and other institutions;
9. Articles contributed for purposes of charity or relief;
10. Government monopoly articles imported by the Government;
11. Samples of merchandise which are only fit as such;
12. Travellers' effects and tools and instruments of professional necessity to travellers, which, however, must correspond to the social status of such travellers and be recognised as suited thereto by the Customs;
13. Articles sent back by forces and warships abroad;
14. Personal effects in course of removal which, however, must have already been used;
15. Exported articles which are imported within five years without any change in the character and form which they possessed at the time of exportation, with the exception, however, of alcohol, alcoholic liquors, sugar, and articles which enjoyed exemption from import duty or a drawback thereof under Arts. VIII and IX;
16. Receptacles of exported goods named by ordinance when such receptacles are reimported;
17. Fish, shellfish, mollusca, sea-animals, seaweeds, and other aquatic products caught or gathered by vessels which set out for the purpose

from this country and manufactures thereof which are simple in workmanship; they must, however, be imported by the said vessels or vessels attached thereto;

18. Articles for ship's use delivered in an open port to warships and vessels bound for foreign countries;
19. Wreckages and equipments of Japanese vessels which have been shipwrecked;
20. Exported goods shipped by vessels clearing ports in this country, which are brought back on account of the shipwreck of such vessels;
21. Horses, cattle, and swine for breeding imported by the State and prefectures, horses for breeding imported by horse-breeding associations, and cattle for breeding imported by cattle-breeding associations.

Art. VIII. The following articles are exempted from import duty if they are to be re-exported within one year from the date of importation; but security corresponding in amount to the duty must be tendered at the time of importation :—

1. Articles imported for the purpose of having work done thereto, which are named by Imperial Ordinance;
2. Articles imported for repair;
3. Articles imported for the use of travellers engaged in scientific research;
4. Articles imported for the purpose of trial;
5. Articles imported for use in theatrical and other performances.

Art. IX. When articles named by ordinance have been manufactured with imported raw materials and exported to foreign countries, the whole or part of the import duty on such materials may be refunded in a manner to be determined by ordinance.

When manures named by ordinance have been manufactured with imported raw materials, the whole or part of the import duty on such materials may be refunded in a manner to be determined by ordinance.

Any person who obtains or attempts to obtain by fraund or dishonest action the refundment mentioned in the preceding two paragraphs shall be dealt with according to the provision of Art. LXXV of the Customs Duties Law.

Art. X. The importation of the articles specified hereunder is prohibited :—

1. Opium and utensils for smoking opium (excepting such as are imported by the Government);
2. Coins, bank-notes, and Imperial Government certificates, which are counterfeit, altered, or imitations;
3. Books, pictures, carvings, and other articles, which are considered injurious to public security or morals;
4. Articles which infringe patents, new devices for practical use, designs, trade-marks, and copyrights;
5. Articles, the importation of which has been prohibited by laws and ordinances.

ADDITIONAL ARTICLES.

Art. XI. The date at which the present Law will be put in operation shall be determined by Imperial Ordinance.

Art. XII. The provisions relating to import duties in Arts. II. and III. of the Extraordinary Special Tax Law and Law No. 85, of the Thirty-third year of Meiji (1900), are abolished.

IMPORT TARIFF.*

N.B. In the column of Conventional Tariff, F., G. and G.B. denote France, Germany and Great Britain.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
	GROUP I. **Plants and Animals (living.)**					
1	Plants, roots and bulbs, fit only for replanting		free			
2	Horses	*ad val.*	5%			
3	Bulls, oxen and cows	,,	10%			
4	Sheep and goats	,,	25%			
5	Pigs and hogs...	,,	25%			
6	Poultry	,,	25%			
7	Fish, shellfish and mollusca	,,	30%			
8	Bees	,,	10%			
9	All other live animals	,,	25%			
	GROUP II. **Grains and Seeds.**					
10	Rice and paddy	100 *kin*	0.64			
11	Barley	,,	0.45			
12	Wheat	,,	0.57			
13	Oats	100 *kin*	0.47			
14	Millet, Italian and German	,,	0.41			
15	Beans soja...	,,	0.43			
16	,, red or white, small (*Phaseolus subtrilobata*)...	,,	0.45			
17	Beans (*Vicia faba*)...	,,	0.37			

* The present table follows the Import Tariff issued by the Department of Finance in August, the 39th year of Meiji (1906), and in case of any amendment having been made subsequently to that date, the fact is given in the foot note.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
18	Peas green, small (*Phaseolus radiatus*)	100 *kin*	0.44			
19	Beans (*Pisum sativum*)	,,	0.38			
20	Sesame seed	,,	0.79			
21	Seeds of *Perila ocimoides*	,,	0.86			
22	Rape seed...	,,	0.51			
23*	Cotton seed	,,	0.10			
24	All other grains and seeds	*ad val.*	15%			
	GROUP III. **Beverages and Comestibles.**					
25	Vegetables (excluding those preserved with sugar, molasses, syrup or honey):					
	1. Preserved in tins	100 *kin* including receptacles	7.30			
	2. Preserved in bottles or jars...	*ad val.*	40%			
	3. Not preserved in tins, bottles or jars:					
	A. Fresh	100 *kin*	1.15			
	B. Dried	,,	4.10			
	C. Others	*ad val.*	30%			
26	Fruits and nuts (excluding those preserved with sugar, molasses, syrup or honey):					
	1. Preserved in tins, bottles or jars	,,	45%			
	2. Not preserved in tins, bottles or jars:					
	A. Fruits, fresh	100 *kin*	4.00			
	B. ,, dried	,,	8.10			
	C. Nuts	,,	6.50			
	D. Others	*ad val.*	40%			

* This Rate of Duty was amended by Law No. 29 of the 40th year of Meiji.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
27	Tea :					
	1. Black tea	100 *kin*	20.00			
	2. „ „ dust	„	2.70			
	3. All other	*ad val.*	45%			
28	Coffee	100 *kin*	15.00			
29	Chicory	*ad val.*	45%			
30	Cocoa...	*ad val.*	45%			
31	Spices :					
	1. Pepper :					
	A. In the seed	100 *kin*	13.00			
	B. Ground	100 *kin* including receptacles	18.00			
	2. Curry powder	„	23.00			
	3. Mustard	*ad val.*	45%			
	4. All other	„	45%			
32	Flours, meals and groats of grains and starches :					
	1. Wheat flour	100 *kin*	1.45			
	2. Oatmeal...	„	4.42			
	3. Indian corn meal	„	3.87			
	4. Tapioca or manioca	„	1.80			
	5. All other	*ad val.*	30%			
33	Biscuits (excluding fancy or sweetened biscuits)	100 *kin*	11.00			
34	Macaroni, vermicelli and the like	„	6.60			
35	Fruit juice (not sugared)	100 *kin* including receptacles	12.00			
36	Sauce	„	8.20			
37	Vinegar	1 litre	0.18			
	Note.—Vinegar containing more than 10 grammes of pure acetic acid in 100 cubic centimetres at 15° C. is subject to an additional duty at the rate of 3					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	sen per litre for every additional one gramme of pure acetic acid.		*yen*		*yen*	
38	Meat, poultry, game, fish, shellfish and mollusca :					
	1. Fresh :					
	A. Mutton	100 *kin*	7.30			
	B. Others	*ad val.*	30%			
	2. Preserved in tins, bottles or jars :					
	A. Meat, poultry and game...	100 *kin* including receptacles	9.75			
	B. Fish, shellfish and mollusca	,,	4.30			
	3. All other :					
	A. Ham and bacon	100 *kin*	14.00			
	B. Salted meat	,,	5.50			
	C. Salted whale :					
	a. Tail	,,	4.50			
	b. Others	,,	1.40			
	D. Salted fish	,,	2.00			
	E. Others	*ad val.*	30%	doz. 1 lb. tins and proportionately for tins of other weights		
39	Condensed milk	100 *kin* including receptacles	10.00		0.123	G.B.G.
40	Butter	100 *kin*	27.00			
41	Artificial butter	,,	23.00			
42	Cheese	,,	17.00			
43	Extract of meat	100 *kin* including receptacles	77.00			
44	Peptone, somatose, hemoglobin, infant food and other similar nutritious food	*ad val.*	35%			
45	Eggs, fresh	100 *kin*	5.80			
46	Mineral water, soda water and other non-alcoholic beverages :					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
	1. In bottles, not exceeding ½ litre each	1 doz.	0.55			
	2. In bottles, exceeding ½ litre each	,,	1.10			
47	All other comestibles	*ad val.*	40%			
	Convention :—					
	Milk :					
	Desiccated			doz. 1 lb. tins and proportionately for tins of other weights	0.123	G.B.,G.
	Sterilized			*ad val.*	5%	G.
	GROUP IV. **Sugar, Confectioneries and Sweetmeats.***					
48	Sugar :					
	1. Below Dutch standard No. 8	100 *kin*	1.65			
	2. From Dutch standard No. 8 to No. 15, exclusive	,,	2.25			
	3. From Dutch standard No. 15 to No. 20, exclusive	,,	3.25			
	4. Dutch standard No. 20 and above	,,	3.50			
	Convention :—					
	Sugar, refined :					
	A. No. 15 to No. 20 inclusive, Dutch standard in colour....			100 catties	0.748	G.B.,G.

* On sugar, molasses and syrup taken delivery of from the factories, Custom-houses or bonded warehouses, for the purpose of being consumed in the Empire, the following consumption tax and extraordinary special tax shall be imposed.

			Consumption Tax.	Extraordinary Special Tax.
1st Class.	Sugar below Dutch standard No. 8 and molasses	100 *kin*	*yen* 1.00	*yen* 1.00
2nd Class.	Sugar from Dutch standard No. 8 to No. 15 exclusive ...	,,	1.60	2.80
3rd Class.	Sugar from Dutch standard No. 15 to No. 20, inclusive and syrup	,,	2.20	4.30
4th Class.	Sugar above Dutch standard No. 20 and rock candy sugar	,,	2.80	4.70

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	B. Above No. 20 Dutch standard in colour		*yen*	100 catties	*yen* 0.827	G.B.,G.
49	Molasses	100 *kin*	0.85			
50*	Fruit juice (sugared) and syrup ...	*ad val.*	45%			
51*	Grape sugar, malt sugar and the like	100 *kin*	7.25			
52	Milk sugar	,,	8.80			
53*	Honey	*ad val.*	50%			
54	Sugar, rock candy	100 *kin*	4.90			
55*	Confectioneries, fancy biscuits and other cakes	100 *kin* including receptacles	20.00			
56*	Jam, fruit jelly and the like... ...	,,	13.00			
57*	Vegetables and fruits preserved with sugar, molasses, syrup or honey	,,	8.00			
	GROUP V. **Alcoholic Liquors and Alcohol.**					
58*	*Sake*...	1 litre	0.15			
59*	Chinese liquors, fermented	,,	0.15			
60*	Beer, ale, porter and stout	,,	0.10			
61*	Wines of all kinds:					
	1. In bottles	1 litre	0.80			
	2. In casks or barrels	,,	0.30			
	Convention:—					
	All sorts of still wines exclusively the produce of natural fermentation of grapes:					
	1. *Not exceeding* 16 *degrees of pure alcohol:*					
	A. In cask or barrel...			hectolitre	1.242	F.
	B. In case containing 24 *bottles, not exceeding* ½ *litre each or* 12 *bottles, exceeding* ½ *litre and not exceeding* 1 *litre each.*			per case	0.760	,,
	2. *Exceeding* 16 *degrees and not exceeding* 24 *degrees of pure alcohol:*					

* These Rates of Duty were amended by Law No. 4 of the 41st year of Meiji, but the date of its enforcement being yet unfixed, the original rates are given.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
	A. In cask or barrel...			hectolitre	7.925	F.
	B. In case containing 24 bottles, not exceeding ½ litre each, or 12 bottles, exceeding ½ litre and not exceeding 1 litre each			per case	0.680	,,
	Note.—*Vermouth is classified as still wine and is subject to the tariff of the same in respect to the degrees of strength of alcohol.*					
62*	Champagne	1 litre	2.00			
	Convention:—					
	Champagne and all other sorts or sparkling wines, exclusively the produce of the natural fermentation of grapes.					
	In case containing 24 bottles, not exceeding ½ litre each or 12 bottles, exceeding ½ litre and not exceeding 1 litre each			per case	1.550	,,
63*	All other alcoholic liquors:					
	1. In bottles	1 litre	0.90			
	2. In other receptacles*	,,	0.50			
	* Note.—Alcoholic liquors containing more than 50% by volume of pure alcohol, specific gravity 0.7947 at 15° C., are subject to an additional duty at the rate of 1 *sen* per litre for every additional 1% of pure alcohol.					
64*	Alcohol	,,	0.65			
	GROUP VI. **Skins, Hairs, Bones, Horns, Teeth, Tusks, Shells, &c.**					
65	Furs	*ad val.*	50%			
66	Hides and skins, animal, raw:					
	1. Of bull, ox, cow and buffalo	100 *kin*	1.20			
	2. Of deer	100 *kin*	4.00			

* These Rates of Duty were amended by Law No. 4 of the 41st year of Meiji, but the date of its enforcement being yet unfixed, the original rates are given.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
	3. Of red deer (*Cervus elaphus*)	,,	2.10			
	4. All other	*ad val.*	10%			
67	Waste hides and skins (fit only for glue manufacture or manure) ...		free.			
68	Leather:					
	1. Of bull, ox, cow and buffalo:					
	A. Sole leather	100 *kin*	13.30	100 catties	5.690	G.B,G.
	B. Tanned hide, known as "*Indian blood leather*" ...	,,	7.60	*ad val.*	10%	,,
	C. Others:					
	a. Lacquered or varnished	,,	22.40	,,	10%	,,
	b. Not lacquered or varnished	,,	17.00	,,	10%	,,
	2. Of sheep and goat	,,	22.40	,,	10%	,,
	3. Of chamois	,,	55.00	,,	10%	,,
	4. Of alligator	,,	98.20	,,	10%	,,
	5. Roller leather	,,	69.20	,,	10%	,,
	6. Waste	,,	8.40	,,	10%	,,
	7. All other	*ad val.*	20%	,,	10%	,,
69	Hair, animal (excluding wool, goat's hair and camel's hair):					
	1. Bristles, pig or hog		free			
	2. Of badger	100 *kin*	33.50			
	3. Of horse...	,,	5.85			
	4. All other	*ad val.*	10%			
70	Feathers, quills and down	,,	50%			
71	Bones, animal		free			
72	Tusks or ivory, animal:					
	1. Of elephant	100 *kin*	45.20			
	2. Of elephant waste	,,	9.00			
	3. Of walrus or seahorse... ...	,,	20.40			
	4. All other	*ad val.*	20%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
73	Horns, animal:					
	1. Of bull, ox, cow and buffalo	100 *kin*	2.00			
	2. Of deer	,,	4.10			
	3. Of rhinoceros	,,	14.80			
	4. All other	*ad val.*	20%			
74	Hoofs, animal	100 *kin*	0.70			
75	Sinews, animal...	*ad val.*	10%			
76	Shells of shellfish		free			
77	Tortoise-shells:					
	1. Shells and marginal scales known as "*claws*"...	100 *kin*	150.00			
	2. Waste	,,	7.30			
	3. All other	,,	20.00			
78	Corals	*ad val.*	40%			
79	Pearls	,,	60%			
80	Sponges:					
	1. Prepared	100 *kin*	103.00			
	2. Unprepared	,,	8.50			
81	All other skins, hairs, bones, horns, teeth, tusks, shells, &c. (excluding wool, goat's hair and camel's hair)	*ad val.*	20%			
	GROUP VII. **Drugs, Chemicals, Medicines and Medicinal Preparations.**					
82	Hops...	100 *kin*	28.90	catty	0.029	G.
83	Liquorice	,,	2.36			
84	Saffron	1 *kin*	4.26			
85	Ipecacuanha roots	100 *kin*	77.10			
86	Ginseng:					
	1. Not exceeding 30 roots per *kin*	1 *kin*	3.60			
	2. All other	,,	0.70			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
87	Cassia and cinnamon bark	1 *kin*	3.50			
88	Cinchona bark...	,,	6.50			
89	Gentian roots	,,	2.70			
90	Nard or spikenard...	,,	3.50			
91	Rhubarb	,,	2.90			
92	Semen cyna or wormseeds	,,	6.90			
93	Senega roots	,,	22.50			
94	Ergot of rye	,,	18.40			
95	Musk	,,	150.00			
96	Artificial musk	,,	16.50			
97	Cloves	100 *kin*	7.20			
98	Agalwood or aloeswood	,,	62.70			
99	Sandal wood	,,	4.60			
100	Rosin	,,	0.60			
101	Catechu and gambier	,,	2.00			
102	Galls...	,,	3.75			
103	Gum, arabic	,,	2.90			
104	,, tragacanth	,,	15.20			
105	,, shellac	,,	17.90			
106	Glus...	,,	2.58			
107	Gelatine	,,	18.70			
108	Isinglass	*ad val.*	20%			
109	Dextrine	,,	15%			
110	Phosphorus, yellow and red or amorphous...		free			
	Convention:—					
	Amorphous phosphorus			catty	0.165	G.
111	Acid, boric	100 *kin*	2.90			
112*	,, acetic	,,	8.00			
113	,, tartaric	,,	13.10			

* This Rate of Duty was amended by Law No. 34 of the 41st year of Meiji, and will be enforced from the 1st October of the same year.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
114	Acid, salicylic	100 *kin*	11.80	*ad val.*	10%	G.
115	„ carbolic	„	6.10			
116	„ citric	„	13.00			
117	„ pyrogallic	„	134.00			
118	„ tannic	„	14.20			
119	Soda, caustic	„	0.65			
120	„ carbonate of (soda ash) ...	„	0.35			
121	„ bicarbonate of	„	0.52			
122	„ nitrate of (Chili saltpetre or cubic nitre):					
	1. Crude		free			
	2. Refined	*ad val.*	20%			
123	Soda, borate of (borax)	100 *kin*	1.32			
124	„ salicylate of	„	12.70			
125	Potash, nitrate of (saltpetre) ...	„	1.88	100 catties	0.490	G.B.,G.
126	„ chlorate of and cyanide of and soda, cyanide of	„	free			
	Convention:—					
	Chlorate of patash			„	2.267	G.
127	Potash, bichromate of	„	2.53			
128	„ bromide of...	„	18.80	catty	0.093	„
129	Magnesia, carbonate of	„	2.73			
130	Alum	„	0.44			
131	Bismuth, subnitrate of	„	86.90	„	0.206	„
132	Ammonia, chloride of	„	2.28			
133	„ sulphate of:					
	1. Crude		free			
	2. Refined	*ad val.*	20%			
134	Ammonia, carbonate of	100 *kin*	3.89			
134½*	Acetate of Lime	„	0.41			

* This Rate of Duty was amended by Law No. 34. of the 41st year of Meiji.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
134*s	Acetone	100 *kin*	*yen* 15.13			
135	Formaline	,,	6.90			
136	Wood spirit or methyl alcohol ...	,,	3.38			
137†	Alcohol, denatured...	1 litre	0.65			
138	Glycerine...	100 *kin*	6.50			
139	Chloroform	,,	22.00			
140	Saccharin and other similar sweet substances	1 *kin*	60.00			
141	Camphor, Borneo and blumea or ngai	,,	3.00			
142	Antifebrine	100 *kin*	9.50			
143	Antipyrine	1 *kin*	0.80			
144	Santonine	,,	3.07			
145	Quinine, hydrochlorate of and sulphate of...	,,	2.03	*ad val.*	8%	G.
146	Morphine, hydrochlorate of and sulphate of	,,	8.90			
147	Cocaine, hydrochlorate of and sulphate of	,,	25.00			
148	Cinchonine, hydrochlorate of and sulphate of	100 *kin*	38.50			
149	Creosote, carbonate of	,,	52.40			
150	Guaiacol, carbonate of	,,	98.60			
151	Aniline salt or aniline, hydrochlorate of	,,	3.55			
152†	Insect powder...	,,	15.80			
153	Alcoholic medicinal preparations (excluding tincture of opium) ...	1 litre	0.65			
154	Plasters	*ad val.*	30%			
155	Lints and bandages	,,	30%			

* V. the foot note on page 11.

† These Rate of Duty were amended by Law No. 4 of the 41st year of Meiji, but the date of its enforcement being yet unfixed, the original rates are given.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
156	Gelatine capsules and wafers ...	*ad val.*	*yen* 20%		*yen*	
157	All other drugs, chemicals and medicines	,,	20%			
	Convention :—					
	Bromide (excluding bromide of potash) ...			*ad val.*	10%	G.
	Quinine (excluding quinine, hydrochlorate of and sulphate of)			,,	8%	,,
	Iodide of potash			,,	10%	,,
158	Pills, powders, ointments and other medicinal preparations	,,	30%			
	GROUP VIII. **Oils, Fats and Waxes.**					
159	Volatile or essential oils, vegetable :					
	1. Of cassia and cinnamon ...	100 *kin*	45.00			
	2. Of citronella	,,	32.30			
	3. Of lavender and bergamot...	,,	120.00			
	4. Of turpentine :					
	A. In cans or barrels	10 American gallons.	2.48			
	B. In other receptacles ...	*ad val.*	20%			
	5. All other	,,	30%			
160	Oil, linseed :					
	1. In cans or barrels	100 *kin*	1.00			
	2. In other receptacles	*ad val.*	20%			
161	Oil, castor :					
	1. In cans, barrels or jars ...	100 *kin*	2.00			
	2. In other receptacles	*ad val.*	20%			
162	Oil, olive :					
	1. In cans or barrels	100 *kin*	4.10			
	2. In other receptacles	*ad val.*	30%			
163	Oil, palm...	100 *kin*	1.50			
164	,, arachis or groundnut	,,	3.90			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
165	Oil, cotton seed	100 *kin*	3.30			
166	Cocoa butter (obtained from *Theobroma cacao*)	*ad val.*	20%			
167	Oil, cod-liver	,,	30%			
168	,, fish and whale	,,	30%			
169	Fats, animal:					
	1. Lard	100 *kin*	5.80			
	2. All other	,,	1.34			
170	Stearin	,,	2.10			
171	Olein	,,	2.00			
172*	Mineral oils (excluding crude oil):					
	1. Light oils (specific gravity less than 0.730 at 15°C.) ...	*ad val.*	20%			
	2. Illuminating oils (specific gravity not exceeding 0.875 at 15°C.)	10 American gallons	0.96			
	3. Heavy oils (specific gravity exceeding 0.875 at 15°C.) ...	100 *kin*	1.23			
	Convention:—					
	Oil, paraffin			*ad val*	10%	G.B.,G.
173	Vaseline	,,	2.95			
174	Paraffin wax:					
	1. Melting point below 50°C....		free	100 catties	0.544	,,
	2. All other	,,	1.30	,,	0.544	,,
175	Candles	,,	7.70	,,	2.146	F.
176	All other oils, fats and waxes ...	*ad val.*	20%			
	GROUP IX.					
	Dyes, Pigments and Paints.					
177	Indigo, natural:					
	1. Dry	100 *kin*	55.80	,,	12.953	G.B.

* This item was amended by Law No. 41 of the 41st year of Meiji, but the date of its enforcement being yet unfixed, the original is given.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	2. Liquid or paste	*ad val.*	*yen* 30%		*yen*	
178	Artificial indigo:					
	1. Dry	100 *kin*	63.40	,,	12.953	,,
	2. Liquid or paste	*ad val.*	30%			
179	Indigo carmine	,,	20%			
180	Mangrove bark	100 *kin*	0.20			
181	Safflower:					
	1. In cake...	,,	8.90			
	2. All other	,,	3.20			
182	Turmeric	,,	0.80			
183	Logwood extract	,,	3.30	*ad val.* 100 catties	10% 2.150	G. F.
184	Aniline dyes	,,	12.30	*ad val.*	10%	G., F.
185	Alizarine dyes:					
	1. Dry	,,	27.80	,,	10%	G.
	2. Liquid or paste	,,	9.50	,,	10%	,,
186	Cobalt, oxide of	,,	85.00			
187	Gold, silver and platinum, liquid...	1 *kin*	18.00			
188	Prussian blue	100 *kin*	10.00			
189	Ultramarine blue	,,	2.85			
190	Lead pigments	,,	1.80			
191	White zinc	,,	2.00			
192	Vermilion and cinnabar	,,	28.20			
193	Paints	,,	4.10	100 catties	1.304	G.B.,G.
194	Lacquer (juice of *Rhus vernicifera*)	,,	6.30			
195	Varnish	,,	13.00			
196	Wood tar and coal tar	,,	1.10			
197	Pitch	,,	0.45			
198	Asphaltum	*ad val.*	15%			
199	Shoe polish	100 *kin* including receptacle.	8.30			
200	Pencils (excluding those of metallic case):					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	1. Cased in wood	1 gross	*yen* 0.50		*yen*	
	2. All other	*ad val.*	30%			
201	Inks:					
	1. For copying or writing ...	100 *kin* including receptacles	10.00			
	2. For printing:					
	A. Liquid or paste:					
	a. For lithograph	100 *kin*	15.00			
	b. Others	,,	2.50			
	B. Solid	*ad val.*	15%			
	3. All other	,,	30%			
202	Solid inks, black or red, Chinese...	,,	30%			
203	Artists' colours and artists' paints...	,,	30%			
204	Anti-fouling composition, anti-corrosive paint and the similar ship's bottom paints	100 *kin*	6.40			
205	Patent dryer	,,	3.00			
206	Copper paint	,,	5.90			
207	All other dyes and pigments ...	*ad val.*	15%			
208	All other paints	,,	30%			
	GROUP X. Yarns, Threads, Twines, Cordages, and Materials thereof.					
209	Cotton, in the seed and ginned ...		free			
210	Waste and old cotton		,,			
211	Cotton yarns:					
	1. Gassed, mercerized and the like	100 *kin*	21.50	100 catties	4.180	G.B.,G.
	2. All other	,,	12.00	,,	4.180	,,
	Note to Convention with Germany:— *It is expressly understood that all mixed*					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	yarns of cotton, linen, hemp, jute or wool (either combed or worsted) are to be classed for duty according to the material predominating in weight.		*yen*		*yen*	
212	Cotton threads...	100 *kin* including spools	29.40			
213	Waste cotton yarns		free			
214	Flax, hemp, china grass, ramie and other vegetable fibres...		,,			
215	Linen yarns	100 *kin*	18.50	100 catties	6.527	G.B.,G.
	N.B.—*V. the note No. to* 211.					
216	Linen threads...	,,	42.20			
217	Hemp, china grass, ramie or jute yarns	*ad val.*	20%			
	Convention:—					
	Yarns of hemp or jute, for weaving purposes, plain or dyed			*ad val.*	8%	G.
	Yarns of all other sorts (yarns of china grass or ramie)			,,	10%	G.B.,G.
	N.B.—*V. the note to No.* 211.					
218	Hemp, china grass, ramie or jute threads...	,,	30%			
219	Wool, goat's hair and camel's hair		free			
220	Woollen yarns:					
	1. Fit only for weaving... ...	100 *kin*	21.00	100 catties	8.000 9.169	G., F. G.B.
	2. All other	,,	26.00	,,	9.169	G.B.,G.
	N.B.—*V. the note to No.* 211.					
221	Cocoons		free			
222	Curlies, knubs and other waste silk		,,			
223	Silk, floss...	*ad val.*	15%			
224	,, raw, dupion and thrown ...	100 *kin*	164.00			
225	,, wild	,,	31.00			
226	,, yarns, spun	*ad*	30%			
227	,, threads	,,	30%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
228	Artificial silk	*ad val.*	30%			
229	All other yarns and threads:					
	1. Of silk in part	,,	30%			
	2. All other	,,	20%			
	Convention:—					
	Yarns of all sorts, not specially provided for in conventional tariff			*ad val.*	10%	G.B.,G.
230	Small ropes or cords (not exceeding 5 m.m. in diameter) and twines:					
	1. Of cotton	100 *kin*	12.90			
	2. All other	,,	5.90			
231	Cordages or ropes (exceeding 5 m.m. in diameter)	,,	6.25			
232	Old cords, twines, cordages and ropes	*ad val.*	10%			
	GROUP XI. **Textile Fabrics and Manufactures thereof.***					
233	Shirtings and sheetings, gray ...	10 sq. yds.	0.31			
	Convention:—					
	Shirtings, gray			sq. yd.	0.006	G.B.,G.,F.
	Sheetings, gray			*ad val.*	10%	,,
234	Shirtings and sheetings, white ...	,,	0.41			
	Convention:—					
	Shirtings, white or bleached			sq. yd.	0.010	,,
	Sheetings, white			*ad val.*	10%	,,
235	Shirtings, twilled	,,	0.37	sq. yd.	0.011	,,

* The following consumption tax shall be levied on textiles according to the Extraordinary Special Tax Law.

Woollen textiles ... ... 15% of the value thereof
Other textiles ... ... 10% of the value thereof

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
236	Shirtings, dyed and turkey-red cambrics	10 sq. yds.	0.39			
	Convention:—					
	Shirtings, dyed			sq. yd.	0.013	G.B.,G.,F.
	Turkey-red cambrics			,,	0.012	,,
237	T-cloths	,,	0.43	,,	0.009	,,
238	Cotton drills	,,	0.63	,,	0.016	,,
239	,, ducks	,,	1.56	,,	0.053	,,
240	,, satins and cotton Italians...	,,	0.76	,,	0.017	,,
241	,, prints	,,	0.49	,,	0.012	,,
242	,, flannels	,,	0.73	*ad val.*	10%	,,
243	,, velvets and plushes	,,	1.36	sq. yd.	0.041	,,
244	,, victoria lawns	,,	0.21	,,	0.006	,,
245	,, mosquito nettings	,,	0.41	*ad val.*	10%	,,
246	,, lace curtainings...	*ad val.*	30%	,,	10%	,,
247	,, tissues, pure, not otherwise provided for	,,	30%	,,	10%	,,
	Convention:—					
	Cotton brocades and figured shirtings			sq. yd.	0.017	,,
248	Linen damasks	10 sq. yds.	2.33	*ad val.*	10%	G.B.,G.
249	,, tissues, not otherwise provided for	*ad val.*	30%	,,	10%	,,
250	Hemp cloth	,,	30%			
251	China grass and ramie cloths ...	,,	30%			
252	Canvas	10 sq. yds.	1.48			
	Convention:—					
	Linen canvas			sq. yd.	0.047	,,
253	Elastic canvas...	,,	0.57			
	Convention:—					
	Of flax			*ad val.*	10%	,,
254	Gunny cloth	*ad val.*	10%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
255	Bamboo cloth or *Chikufu* and pine apple cloth	10 sq. yds.	0.77			
256	Woollen cloths and serges:					
	1. Of wool:					
	A. Not exceeding 250 grammes per square yard	,,	1.60			
	B. Others	,,	3.20			
	2. Of wool and cotton:					
	A. Not exceeding 250 grammes per square yard	,,	1.00			
	B. Others	,,	1.60			
	Convention:—					
	Woollen cloth: *					
	A. Wholly of woollen or worsted yarn, or of woollen and worsted yarn, such as broad, narrow and army cloth, cassimeres, tweeds and worsted coatings			sq. yd.	0.093	G.B.,G.,F.
	B. In part of woollen or worsted yarn and in part of cotton yarn, such as pilot, president and union cloth			,,	0.039	,,
	Serges: *					
	A. Where the warp is worsted and the weft woollen			,,	0.056	,,
	B. All other kinds			*ad val.*	10%	,,
257	Alpacas, Orleans and lustres ...	,,	1.46			
	Convention:—					
	Alpacas			sq. yd.	0.075	,,
	Orleans and lustres			*ad val.*	10%	,,
258	Mousseline de laine (including wool and cotton mixture):					
	1. Gray	,,	0.87			
	2. All other	,,	1.10			

* In German Convention, woollen and worsted tissues are those of wool, pure or mixed with other material, the wool, however, predominating in weight.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
	Convention :—					
	Mousseline de laine : *					
	A. Gray and white			sq. yd.	0.015 0.018 0.021	F. G. G. B.
	B. All other kinds			,,	0.021	G.B.,G.,F.
259	Italian cloth	10 sq. yds.	1.22	,,	0.029	,,
260	Flannels : *					
	1. Of wool...	,,	1.64	,,	0.044	,,
	2. Of wool and cotton	,,	1.43	,,	0.030 0.044	G., F. G. B.
261	Buntings *	,,	0.98	,,	0.031	G.B.,G.,F.
262	Woollen damasks *...	,,	2.50	*ad val.*	10%	,,
263	Velvets and plushes (of wool or of wool and cotton) *	,,	2.40	,,	10%	,,
264	Roller cloths *	,,	4.20	,,	10%	,,
265	Woollen feltings	,,	1.34			
266	,, tissues, pure, not otherwise provided for	*ad val.*	30%	,,	10%	,,
	Convention :—					
	Long ells *			sq. yd.	0.036	,,
267	Silk crape	10 sq. yds.	6.76			
268	,, pongee	,,	1.55			
269	,, satins, figured	,,	5.61	*ad val.*	10%	F.
270	,, ,, unfigured	,,	9.50	,,	10%	,,
271	Satins of silk and cotton	,,	3.04	,,	10% 15%	G., F. G. B.
272	Velvets and plushes (of silk, wholly or partly)	,,	4.90			
	Convention :—					
	If cotton or wool predominates in weight ...			,,	10%	G.B.,G.,F.
273	Silk tissues, pure, not otherwise provided for	*ad val.*	40%			

* V. the foot note on page 20.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
274	Mixed tissues, not otherwise provided for:					
	1. Of silk in part	*ad val.*	40%			
	2. All other	,,	30%			
	Convention:—					
	If cotton or wool predominates in weight ...			,,	10%	G.B.,G.,F.
275	Embroidered tissues	,,	40%			
276	Handkerchiefs:					
	1. In piece:					
	A. Of cotton...	10 sq. yds.	0.37	sq. yd.	0.011	,,
	B. Of silk, wholly or partly...	*ad val.*	45%			
	C. Others	,,	30%			
	N. B.—*V. the convention to Nos. 249 and 274.*					
	2. Single:					
	A. Of cotton...	1 doz.	0.22			
	B. Of flax	,,	0.88			
	C. Of cotton and flax... ...	,,	0.46			
	D. Of silk, wholly or partly	*ad val.*	50%			
	E. Others	,,	40%			
277	Towels	,,	40%			
278	Blankets and blanketings:					
	1. Of wool or of wool and cotton	100 *kin*	32.80			
	2. All other	*ad val.*	30%			
	Convention:—					
	*Blanketing and whipped blankets in plain weave**			100 catties	7.458	G.B.,G.
	Blanketing and whipped blankets			,,	7.458	F.
279	Carpets and carpetings:					
	1. Of hemp or jute	10 sq. yds.	1.60			
	2. Brussels...	,,	7.30			

* V. the foot note on page 20.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty	Unit.	Rates of Duty.	Contracting States.
	3. Patent tapestry	10 sq. yds.	yen 3.70		yen	
	4. Velvet	*ad val.*	40%			
	5. Felt	10 sq. yds.	1.30			
	6. All other	*ad val.*	40%			
280	Travelling rugs:					
	1. Of silk, wholly or partly ...	,,	50%			
	2. All other	,,	40%			
281	Table cloths:					
	1. Of silk, wholly or partly ...	,,	50%			
	2. All other	,,	40%			
282	Curtains:					
	1. Of silk, wholly or partly ...	,,	50%			
	2. All other	,,	40%			
283	Mosquito nets	,,	40%			
284	Hammocks	,,	40%			
285	Fishing nets	,,	25%			
286	Elastic webbings for boots and shoes:					
	1. Of silk in part	10 sq. yds.	15.80			
	2. All other	,,	8.87			
287	Bookbinder's cloth	,,	0.42			
288	Leather or oil cloths	,,	1.07			
289	Oil cloths and linoleum for floor...	,,	1.83			
290	Elastic braids and cords	*ad val.*	30%			
291	Insulating tapes	100 *kin*	17.90			
292	Lamp wicks	*ad val.*	30%			
293	Gunny bags	100 pcs.	1.39			
294	Old gunny bags		free			
295	Rags		,,			
296	All other tissues	*ad val.*	30%			
297	All other manufactures of tissues, not otherwise provided for:					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	1. Of silk, wholly or partly ...	*ad val.*	*yen* 50%		*yen*	
	2. All other	,,	40%			
	GROUP XII. **Clothing and Accessories.**					
298	Waterproof coats	,,	40%			
299	Shirts, collars and cuffs...	,,	40%			
300	Under shirts and drawers:					
	1. Of cotton, knit	1 doz.	4.00			
	2. Of wool, knit	,,	7.00			
	3. Of wool and cotton, knit ...	,,	4.20			
	4. All other	*ad val.*	40%			
301	Gloves:					
	1. Of leather	1 doz.	4.40			
	2. Of silk, wholly or partly ...	,,	3.00			
	3. All other	,,	1.40			
302	Stockings and socks:					
	1. Of silk, wholly or partly ...	1 *kin*	2.50			
	2. All other	,,	0.80			
303	Shawls, comforters and mufflers:					
	1. Of silk, feather or fur, wholly or partly	*ad val.*	50%			
	2. All other	,,	40%			
304	Neckties:					
	1. Of silk, wholly or partly ...	1 *kin*	5.50			
	2. All other	,,	2.00			
305	Braces or suspenders:					
	1. Of silk, wholly or partly ...	*ad val.*	50%			
	2. All other	1 doz.	1.30			
306	Arm suspenders, stocking suspenders and the like	*ad val.*	40%			
307	Hats, caps, bonnets and hoods ...	,,	40%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
	Convention :—					
	Hats including also hats of felt			*ad val.*	10%	G.B.,G.
308	Boots, shoes, slippers, sandals, clogs and the like	*ad val.*	40%			
309	Buttons (excluding ornamental buttons) :					
	1. Covered...	100 *kin* including inner packings	87.50			
	2. Of metal	,,	34.00			
	3. Of porcelain or glass	,,	10.70			
	4. Of ivory nut (including imitation)	,,	52.40			
	5. All other	*ad val.*	35%			
310	Buckles, hooks, eyes and the like :					
	1. Buckles...	100 *kin*	13.60			
	2. Hooks	,,	23.10			
	3. Shoe eyelets	,,	36.20			
	4. All other	*ad val.*	35%			
311	Jewelry :					
	1. Of precious metals or precious stones, wholly or partly	,,	60%			
	2. All other	,,	50%			
	Convention :—					
	Imitation jewelry :					
	Small articles of luxury used for personal adornment made principally of common metals such as aluminium, aluminium bronze, nickel, German silver, argentan, copper, steel, zinc, lead, tin, iron, etc., or also of jet, hardened wood, seeds, shells, horn, celluloid, bones and other similar common materials ...					
	1. *Gilt, silvered, treated with aquafortis, burnished, polished, varnished, tinned,*					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	enamelled, oxidized or nickeled, garnished with vitrification, enamelled (cloisonné) or not, embellished with false pearls, corals both genuine and false, imitation precious stones		yen	*ad val.*	yen 10%	F.
	2. *Garnished with mother of pearl, ivory, tortoise shell, gold and silver plated if the value of the garnitures or plating does not surpass the value of the principal composition*			,,	10%	,,
	Note.—*Jewelry most commonly used are finger rings, colliers, rings of all kinds, bracelets, earrings, medals, medallions, broaches, combs, ornamental hair pins, hat pins, scarf pins, trinkets, buckles, hooks, snuff boxes, buttons (common buttons excepted), coulants, purses, handles and ferrules of sticks, parapluies or umbrellas, sequins, pencil holders, portemines and generally all other small objects of adornment not mentioned herein.*					
312	Trimmings (ribbons, tapes, braids, cords, laces, fringes, tassels, knots, stars, metallic threads and braids and the like):					
	1. Of gold, silver or silk, wholly or partly	*ad val.*	50%			
	2. All other	,,	40%			
313	All other clothing and accessories:					
	1. Of silk, feather or fur, or of silk, fur, gold or silver in part, or embroidered	,,	50%			
	2. All other	,,	40%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
	GROUP XIII. **Papers, Paper Manufactures, Books and Pictures.**					
314	Paper, printing:					
	1. Weighing not more than 45 lbs. per 500 sheets and measuring not less than 1086 square inches per sheet	100 *kin*	1.00			
	2. All other	,,	1.95			
	Convention:—					
	Paper, printing:					
	1. *Weighing not more than 24 lbs. per ream of 500 sheets and measuring not less than 1086 square inches per sheet...*			100 catties	0.800 1.163	G. G. B.
	2. *All other kinds of printing paper ...*			,,	1.163	G.B.,G.
315	Paper, writing	,,	2.42	*ad val.*	10%	G.
316	,, drawing	,,	3.08	,,	10%	,,
317	,, blotting	,,	2.15	,,	10%	,,
318	,, filtering	,,	19.70	,,	10%	,,
319	,, fancy	,,	3.45	,,	10%	,,
320	,, bookbinder's	,,	3.65	,,	10%	,,
321	,, packing (including match paper)	,,	1.26	,,	10%	,,
322	,, cigarette	,,	12.30	,,	10%	,,
323	,, wall	,,	5.06	,,	10%	,,
324	,, pasteboard or cardboard ...	,,	2.40	,,	10%	,,
325	,, Chinese	,,	5.60			
326	,, imitation Japanese	,,	4.30	,,	10%	,,
327	,, imitation parchment	,,	4.15	,,	10%	,,
328	Paper, all other	*ad val.*	30%	,,	10%	,,
329	Books and forms, blank	,,	30%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
330	Note paper (with envelopes in boxes)	100 *kin* including boxes	15.80			
331	Albums	*ad val.*	40%			
332	Photographic papers, albuminized and sensitized:					
	1. Albuminized...	100 *kin* including inner packings	65.90			
	2. Bromide and platinum ...	,,	112.00			
	3. All other	,,	89.40			
333	Labels	100 *kin*	30.70			
334	Playing cards*	*ad val.*	60%			
335	Photographs, caligraphies and pictures	,,	50%			
336	Printed matters and pictures for advertisement		free			
337	Illstrated postal cards, Christmas cards and the like	,,	50%			
338	Printed books and pamphlets, copy books, drawing books with designs, music books, news papers, magazines and other periodicals		free			
339	Plans, architectural and engineering		,,			
340	Geographical atlases and maps, charts and scientific diagrams ...		,,			
341	Paper money, bank notes, coupons, share certificates and other negotiable papers		,,			
342	Waste paper		,,			
343	All other paper manufactures, not otherwise provided for	*ad val.*	30%			

* According to Playing Cards Tax Law, playing cards are subject to a taxation of 20 sen per set.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
	GROUP XIV. **Ores and Minerals.**					
344	Metallic ores		free			
345	Precious stones:					
	1. Unworked	*ad val.*	40%			
	2. Worked, not otherwise provided for	„	50%			
346	Stones:					
	1. Unworked	„	10%			
	2. Worked, not otherwise provided for	„	30%			
347	Amber:					
	1. Unworked	„	40%			
	2. Worked, not otherwise provided for	„	50%			
348	Plumbago or black-lead...		free			
349	Asbestos	„	10%			
350	Mica:					
	1. Sheets	100 *kin*	28.90			
	2. All other	*ad val.*	10%			
351	Gypsum	100 *kin*	0.12			
352	Plaster of Paris	„	0.27			
353	Phosphorite		free			
354	Kainite, kieserite, carnallite and other similar salts		„			
355	Cryolite		„			
356	Clay		„			
357	Coal		„			
358	Cokes	1 Eng. ton	2.18			
359	Brick coal or briquettes	*ad val.*	10%			
360	Chalk and whiting...	100 *kin*	0.54			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
361	Emery sands		yen free		yen	
362	Grind stones or whetstones	*ad val.*	10%			
363	All other raw mineral materials ...	,,	10%			
	GROUP XV. **Metals.**					
364	Platinum:					
	1. Blocks, ingots and slabs ...	,,	7½%			
	2. Wire, plates and sheets ...	1 *kin*	150.00			
365	Gold bullion		free			
366	Silver bullion		,,			
367	Iron and steel:					
	Note to Convention:					
	By the term "mild steel" as used in conventional tariff is understood mild steel manufactured by the Siemens, Bessemer, Basic, or similar process, and approximating in value to iron of the same class in the conventional tariff.					
	1. Pigs, ingots, slabs and blooms:					
	A. Pigs	100 *kin*	0.10			
	B. Others	,,	0.60			
	Convention:—					
	Pig and ingot:					
	A. Of iron and mild steel			100 catties	0.083	G.B.,G.
	B. Of steel (other than mild steel)			*ad val.*	5%	G.B.,G.,F.
	2. Bars and rods, exceeding ¼ inch in diameter...	*ad va*	30%			
	Convention:—					
	Bar and rod, exceeding ¼ inch in diameter:					
	A. Of iron and mild steel			100 catties	0.261	,,
	B. Of steel (other than mild steel)			*ad val.*	7½%	G.B.,G.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	3. Bars and rods, not exceeding ¼ inch in diameter and wire	100 *kin*	*yen* 2.00		*yen*	
	Convention:—					
	Wire and small rod not exceeding ¼ inch in diameter:					
	A. Of iron and mild steel			100 catties	0.503	G.B.,G.
	B. Of steel (other than mild steel) ...			,,	1.819	,,
	4. Galvanized wire	,,	1.80			
	Convention:—					
	Telegraph or galvanized wire:					
	A. Of iron and mild steel			,,	0.256	,,
	B. Of steel (other than mild steel)... ...			*ad val.*	5%	G.
	5. Hoop and band	,,	0.72			
	6. Ribbons...	*ad val.*	10%			
	7. Paragon wire	100 *kin*	4.05			
	8. Wire rope:					
	A. Galvanized	,,	4.50			
	B. Others	,,	6.00			
	9. Tinned plates or sheets:					
	A. Plain	,,	1.34			
	B. Others	,,	3.60			
	Convention:—					
	Tinned plates:					
	A. Of iron and mild steel:					
	a. Ordinary			100 catties	0.691	G.B.,G.
	b. Crystallized			*ad val.*	10%	,,
	B. Of steel (other than mild steel)... ...			,,	10%	G.
	10. Plates and sheets:					
	A. Galvanized	,,	2.60			
	B. Others	*ad val.*	30%			
	Convention:—					
	Plates and sheets:					
	A. Of iron and mild steel			100 catties	0.296	G.B.,G.
	B. Of steel (other than mild steel) ...			*ad val.*	7½%	,,

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
	Sheets, galvanized, both plain and corrugated:					
	A. Of iron and mild steel			100 catties	0.740	G.B.,G.
	B. Of steel (other than mild steel)			*ad val.*	10%	G.
	11. T, angle and the like ...	100 *kin*	1.10			
	12. Rails	,,	1.00			
	Convention:—					
	Rails:					
	A. Of iron and mild steel			100 catties	0.129	G.B.,G.
	B. Of steel (other than mild steel)			*ad val.*	5%	G.
	13. Fish plates for rails	,,	1.20			
	14. Pipes and tubes	*ad val.*	30%			
	Convention:—					
	Pipes and tubes:					
	A. Of iron and mild steel			*ad val.*	10%	G.B.,G.
	B. Of steel (other than mild steel)			,,	10%	G.
	15. Scrap and old (fit only for remanufacturing)	100 *kin*	0.17			
368	Spiegeleisen	,,	0.16			
369	Copper:					
	1. Pigs, ingots and slabs	*ad val.*	7½%			
	2. Bars and rods	100 *kin*	10.20			
	3. Wire	,,	11.20			
	4. Plates and sheets	,,	11.00			
	5. Pipes and tubes	,,	13.00			
	6. Old (fit only for remanufacturing)	,,	1.66			
370	Lead:					
	1. Pigs, ingots and slabs ...	,,	0.38	100 catties	0.316	G.B.,G.
	2. Wire, plates and sheets ...	,,	1.60			
	3. Tea lead		free			
	4. Tubes	100 *kin*	1.90			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	5. Old (fit only for re-manufacturing)	*ad val.*	yen 7½%		yen	
371	Tin:					
	1. Blocks, ingots and slabs ...	100 *kin*	3.74	100 catties	1.992	G. B.
	2. Plates and sheets...	*ad val.*	20%	*ad val.*	10%	,,
	3. Tubes	,,	20%			
372	Zinc or sqelter:					
	1. Blocks, ingots and slabs ...	100 *kin*	072	100 catties	0.400 0.451	G. G. B.
	2. Plates and sheets:					
	A. Nickeled	,,	3.82			
	B. Others:					
	a. Sheet No. 2		free			
	b. Others	,,	2.27			
	Convention:—					
	Plates			,,	0.400	G.
	Sheets			,,	0.830 0.928	,, G. B.
	3. Old (fit only for re-manufacturing)	,,	0.57			
373	Nickel:					
	1. Grains, cubes, blocks and ingots	,,	4.65			
	2. Bars, rods, wire, plates, sheets and tubes...	*ad val.*	20%			
374	Mercury or quicksilver...	100 *kin*	7.20	100 catties	5.048	,,
375	Aluminium:					
	1. Blocks, ingots and slabs ...	,,	3.96			
	2. Bars, wire, plates, sheets and tubes...	,,	18.80			
376	Antimony	*ad val.*	7½%			
377	Brass and yellow metal:					
	1. Bars and rods	100 *kin*	6.70			
	2. Wire, plates and sheets ...	,,	7.40			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	3. Pipes and tubes	100 *kin*	*yen* 9.40		*yen*	
	4. Old (fit only for remanufacturing)	,,	2.06			
378	German silver (bars, rods, wire, plates and sheets)	,,	14.50			
379	Solder	*ad val.*	7½%			
380	Babitt's metal and other antifriction metals	100 *kin*	3.50			
381	All other metals and foremention metals of non-specified forms and qualities:					
	1. Pigs, blocks, ingots and slabs	*ad val.*	7½%			
	2. Bars, rods, ribbons, bands, wires, plates, sheets, pipes, tubes, angles and the like (excluding those for trimming)...	,,	20%			
	3. Scraps and old (fit only for remenufacturing)	,,	7½%			
	GROUP XVI. **Metal Manufactures.**					
382	Coins:					
	1. Home currencies and foreign gold and silver coins		free			
	2. All other	*ad val.*	10%			
383	Metallic foils and powders:					
	1. Tin foil...	100 *kin*	19.60			
	2. Bronze powder	,,	19.80			
	3. All other	*ad val.*	25%			
384	Capsules for bottles	1000 pcs.	0.63			
385	Grown-corks	1 gross	0.10			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
386	Sewing needles, knitting needles and pins:					
	1. Needles, hand sewing... ...	1 *kin*	0.45			
	2. Needles, for sewing machines	,,	3.90			
	3. All other	*ad val.*	30%			
387	Pen nibs:					
	1. Of gold...	,,	60%			
	2. All other	1 gross	0.16			
388	Nails, rivets, screws, bolts, nuts and the like:					
	1. Nails (of iron or copper):					
	A. Of iron:					
	a. Galvanized	100 *kin*	4.20			
	b. Others	,,	1.60			
	B. Of copper...	,,	13.50			
	Convention:—					
	Iron and mild steel nails also wire nails including spikes, sprigs, tacks and brads:					
	A. Plain			100 catties	0.573	G.B.,G.
	B. Galvanized			*ad val.*	10%	,,
	2. Screws (of iron or brass):					
	A. Of iron	*ad val.*	20%	,,	10%	,,
	B. Of brass	100 *kin*	20.60			
	3. Bolts, nuts and washers (of iron)...	*ad val.*	30%	,,	10%	,,
	4. Rivets (of iron)	100 *kin*	2.00	,,	10%	,,
	5. Dog-spikes (of iron)	,,	1.80			
	Convention:—					
	A. Plain			100 catties	0.573	,,
	B. Galvanised...			*ad val.*	10%	,,
	6. Boot-protectors (of iron) ...	,,	5.40			
	7. All other	*ad val.*	30%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
389	Materials for building and bridge construction, posts for electric wires and the like materials ...	*ad val.*	25%			
390	Submarine and underground cables and other insulated electric wire or cables	,,	20%			
	Convention :—					
	Telegraph wire other than telegraph or galvanived wire of iron, mild steel or steel ...			*ad val.*	5%	G.
391	Metallic fittings for doors and furnitures :					
	1. Door locks (of iron or brass) :					
	A. Of iron	100 *kin*	9.12			
	B. Of brass	,,	36.50			
	2. Door hinges (of iron or brass) :					
	A. Of iron	,,	7.65			
	B. Of brass	,,	25.60			
	3. All other	*ad val.*	30%			
392	Mechanics' tools and agricultural implements and parts thereof :					
	1. Anvils	100 *kin*	2.35			
	2. Hammers	,,	4.65			
	3. Wrenches	,,	10.90			
	4. Vices	,,	4.00			
	5. Shovels and scoops, with handles.	,,	3.27			
	6. All other	*ad val.*	20%			
393	Cutlery (excluding those, of gold or silver, gilt or silvered, and otherwise provided for)	,,	40%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
394	Anchors and anchor chains	100 *kin*	1.68			
395	Iron chains	,,	2.03			
396	Watch chains:					
	1. Of gold or platinum	*ad val.*	60%			
	2. Gilt	1 *kin*	14.30			
	3. All other	*ad val.*	50%			
397	Stoves	,,	30%			
398	Enamelled iron wares	100 *kin*	9.48			
399	Coffee-mills and meat-choppers ...	*ad val.*	30%			
400	Cocks and valves:					
	1. Of iron	100 *kin*	9.55			
	2. Of brass	,,	26.70			
	3. All other	*ad val.*	30%			
401	Alarm-bells for vehicles and call-bells	100 *kin*	46.60			
402	Gold wares, not otherwise provided for...	*ad val.*	60%			
403	Silver wares and gilt or silvered wares, not otherwise provided for...	,,	50%			
404	Copper and brass manufactures, not otherwise provided for	100 *kin*	30.80			
405	Aluminium manufactures, not otherwise provided for	,,	60.00			
406	All other metal manufactures, not otherwise provided for	*ad val.*	30%			
	GROUP XVII. Earthenware, Porcelain, Glass and Glass Manufactures.					
	Bricks and tiles:					
407	1. Fire-bricks	100 *kin*	0.38			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	2. Tiles:		yen		yen	
	A. Enamelled	100 *kin*	2.93			
	B. Others	„	1.56			
	3. All other	*ad val.*	20%			
408	Earthenware and porcelain, not otherwise provided for	„	40%			
409	Glass or vitrifications in lumps ...	„	20%			
410	„ rods and tubes	„	20%			
411	„ plates and sheets:					
	1. Uncoloured or unstained (flat surface):					
	A. Not exceeding 4 m.m. in thickness:					
	a. Not exceeding 10 sq. ft. in surface...	100 sq. ft.	0.95			
	b. Others	„	1.18			
	B. Exceeding 4 m.m. in thickness:					
	a. Not exceeding 1 sq. ft. in surface...	„	1.52			
	b. Others	„	9.30			
	Convention:—					
	Glass, window, ordinary:					
	Uncoloured and unstained			100 sq. ft.	0.302	G.B.,G
	2. Silvered:					
	A. Not exceeding 1 sq. ft. in surface	„	13.80			
	B. Others	„	15.80			
	3. Coloured, stained or ground:					
	A. Not exceeding 10 sq. ft. in surface	„	3.25			
	B. Others	„	3.71			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
	Convention :—					
	Glass, window, ordinary :					
	Coloured, stained and ground			*ad val.*	10%	G.B.,G.
	4. All other	*ad val.*	30%			
412	Side-light glass and sky-light glass	,,	30%			
413	Watch glass	,,	30%			
414	Photographic dry-plates :					
	1. Undeveloped...	100 *kin* including inner packings	18.20			
	2. Developed	*ad val.*	40%			
415	Looking glasses or mirrors	,,	40%			
416	Lenses and other optical glasses, without frames or handles ...	,,	30%			
417	Glass cullet and powdered glass ...		free			
418	All other glass manufactures, not otherwise provided for	*ad val.*	40%			
	GROUP XVIII. Vehicles, Vessels, Scientific Instruments, Clocks, Watches and Machinery.					
419	Locomotives and locomotive tenders	,,	20%	,,	5%	G.
420	Parts of locomotives and locomotive tenders :					
	1. Wheels and axles	100 *kin*	4.70	,,	5%	,,
	2. Tyres	,,	1.54	,,	5%	,,
	3. All other	*ad val.*	20%	,,	5%	,,
421	Railway passenger cars and freight wagons...	,,	20%			
	Convention :—					
	Railway carriages for passengers...			,,	5%	,,

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty	Unit.	Rates of Duty.	Contracting States.
422	Parts of railway passenger cars and freight wagons:		*yen*		*yen*	
	1. Wheels and axles	100 *kin*	1.51			
	2. Tyres	,,	1.32			
	3. Buffers	,,	2.33			
	4. Springs	,,	2.00			
	5. All other	*ad val.*	20%			
	Convention:—					
	Parts of railway carriages for passengers ...			*ad val.*	5%	G.
423	Electric, horse and other tramway cars and parts thereof	,,	20%			
424	Carriages, perambulators, automobiles, and parts thereof	,,	50%			
425	Bicycles and tricycles	,,	40%			
426	Parts of bicycles and tricycles:					
	1. Tyres	100 *kin*	95.60			
	2. All other	*ad val.*	40%			
427	Carts and drays	,,	20%			
428	Dredging machines and parts thereof	,,	15%			
429	Steam and sailing vessels and boats	,,	10%			
430	Instruments, physical, chemical, surgical, drawing, surveying and other scientifical	,,	20%			
	Convention:—					
	Instruments, scientific for drawing			*ad val.*	10%	F.
431	Spectacles or eyeglasses	,,	40%			
432	Microscopes and parts thereof ...	,,	20%			
433	Binoculars	,,	40%			
	Convention:—					
	Spy glasses, opera glasses, monocular and binocular, field and marine glasses:					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	A. constructed with or mounted in shell, mother of pearl, ivory, gold, silver, platinum, nielles (inlaid), enamelled or otherwise or other precious materials of fancy and luxury; or garnished with precious stones or pearls		*yen*	per piece	*yen* 0.750	F.
	B. all other kinds			,,	0.250	,,
434	Telescopes	*ad val.*	20%			
435	Compasses and chronometers, mariners' and parts thereof	,,	10%			
436	Clocks, standing and hanging ...	,,	40%	*ad val.*	10%	G.
437	Parts of clocks, standing add hanging:					
	1. Movements	100 *kin*	40.10	,,	10%	,,
	2. Springs	,,	3.15	,,	10%	,,
	3. Hair springs	*ad val.*	10%	,,	10%	,,
	4. All other	,,	30%	,,	10%	,,
438	Watches:					
	1. Of gold or platinum cases ...	,,	50%			
	2. All other	,,	40%			
439	Parts of watches:					
	1. Cases:					
	A. Of gold or platinum ...	,,	50%			
	B. Others	,,	40%			
	2. Springs	100 pcs.	1.10			
	3. Hair springs	,,	0.80			
	4. Dials	,,	4.10			
	5. All other	*ad val.*	40%			
440	Balances, steelyards and measuring scales	,,	20%			
441	Thermometers and barometers ...	,,	20%			
442	Water-meters, gas-meters, pressure-gauges, amperemeters, voltmeters					

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
	and other similar gauges or meters	*ad val.*	*yen* 20%		*yen*	
443	Musical instruments and parts and accessories thereof	,,	40%			
444	Magic lanterns and parts thereof...	,,	50%			
445	Photographic instruments and parts thereof	,,	50%			
446	Phonographic instruments and parts thereof	,,	50%			
447	Sewing machines:					
	1. Hand moving	100 *kin*	11.10			
	2. Foot moving	,,	8.25			
448	Parts of sewing machines	*ad val.*	20%			
449	Diving apparatus and parts thereof	,,	20%			
450	Typewriters	,,	20%			
451	Telegraphic and telephonic instruments and parts thereof	,,	20%			
452	Boilers	,,	15%			
453	Steam engines, gas engines, petroleum engines, electric motors and other motive power machines, and parts thereof	,,	15%			
454	Machine tools and wood working machinery, and parts thereof ...	,,	15%			
455	Spinning and weaving machinery, and parts thereof	,,	15%			
456	All other machinery and parts thereof...	,,	15%			
	Convention:—					
	Machine, printing			*ad val.*	5%	F.

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
	GROUP. XIX. **Miscellaneous Articles.**					
457	Copra		free			
458	*Funori* (*Gloiopeltis*)		,,			
459	*Sekkasai* (*Gelidinm corneum*) ...		,,			
460	Tan-bark	100 *kin*	0.42			
461	Rattans:					
	1. Split	,,	1.32			
	2. All other	,,	0.94			
462	Bamboos	*ad val.*	20%			
463	Corks:					
	1. Bark	100 *kin*	1.66			
	2. Stoppers	,,	8.92			
	3. All other	*ad val.*	10%			
464	Wood:					
	1. *Kwarin* (*Cydonia sinensis*), *Tagayasan* or ironwood, *Tsuge* or boxwood, red or rose wood and santalum and ebony wood	100 *kin*	0.63			
	2. Lignum vitæ	,,	0.60			
	3. Teak	100 cub. ft.	11.80			
	4. Oregon pine, fir and cedar:					
	A. Board	100 superficial ft.	0.60			
	B. Timber, round, squared or sided	100 cub. ft.	4.56			
	5. *Kiri* (*Paulownia tomentosa*)	100 *kin*	0.52			
	6. All other	*ad val.*	15%			
465	Fire-wood	100 *kin*	0.05			
466	Charcoal	*ad val.*	15%			
467	,, animal	100 *kin*	0.79			
468	Carbon rods for electric light ...	,,	6.86			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
469	Pulp for paper manufacture	100 *kin*	0.25			
470	Sparteries...	*ad val.*	20%			
471	Straw braids or plaits:					
	1. Not exceeding $\frac{1}{4}$ inch in breadth	100 *kin*	20.30			
	2. Not exceeding $\frac{3}{8}$ inch in breadth	,,	7.76			
	3. All other	,,	3.35			
472	Hat bodies, felt	,,	19.70			
473	Sweat bands or hat leather (including imitation)	,,	30.50			
474	Mats and mattings:					
	1. Packing...		free			
	2. Of rush...	*ad val.*	30%			
	3. Of coir...	10 sq. yds.	1.61			
	4. All other	*ad val.*	30%			
475	Oakum	100 *kin*	0.66			
476	Tared felt, tared paper, malthoid and other similar roofing and sheathing materials:					
	1. Tared felt	,,	2.10			
	2. All other	*ad val.*	20%			
477	Yeast	,,	15%			
478	Malt...	100 *kin*	2.00			
479	Fodder:					
	1. Hay	,,	0.16			
	2. All other	*ad val.*	5%			
480	Fishing guts	100 *kin*	108.00			
481	Sealing wax	*ad val.*	20%			
482	Putty	100 *kin*	0.97			
483	Roller composition	,,	9.19			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		yen	
484	India rubber or caoutchouc:					
	1. Crude or raw		free			
	2. Plates and sheets:					
	A. Soft:					
	a. Not exceeding 1 m.m. in thickness	100 *kin*	87.80			
	b. Others	,,	35.90			
	B. Hard...	,,	37.80			
	3. Rods	,,	31.60	*ad val.*	10%	G.B.,G.
	4. Tubes:					
	A. Soft	,,	84.20	,,	10%	,,
	B. Hard...	,,	63.20	,,	10%	,,
	5. All other	*ad val.*	20%	,,	10%	,,
485	Guttapercha:					
	1. Crude or raw		free			
	2. Plates and sheets...	100 *kin*	39.40			
	3. All other	*ad val.*	20%			
486	Caoutchouc and guttapercha manufactures, not otherwise provided for:					
	1. Combs	100 *kin* including inner packings	161.00			
	2. Teats	,,	171.00			
	3. All other	*ad val.*	40%			
	Convention:—					
	Caoutchouc, manufactures of			,,	10%	,,
487	Dental rubber...	,,	20%			
488	India rubber solution	100 *kin* including inner receptacles	18.00			
489	Waste or old caoutchouc (fit only for re-manufacturing)		free			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
490	Hard fibres (rods, plates, sheets, tubes, &c.)	100 *kin*	10.90			
491	Celluloid (bars, bonds, rods, plates, sheets, tubes, &c.)	,,	25.60			
492	Celluloid manufactures not otherwise provided for:					
	1. Combs	100 *kin* including inner packings	67.50			
	2. All other	*ad val.*	40%			
493	Brushes and brooms	,,	40%			
494	Emery cloth	100 *kin*	2.67			
495	Sand paper	,,	1.86			
496	Emery wheels...	,,	6.16			
497	Crucibles	*ad val.*	20%			
498	Portland cement	100 *kin*	0.33	100 catties	0.065	G.B.,G.
499	Asbestos boards or sheets	,,	2.05			
500	Packings for engines	,,	7.51			
501	Beltings and hoses for machinery:					
	1. Of leather	,,	25.30			
	2. Of caoutchouc	,,	12.50			
	3. Of canvas	,,	13.50			
	4. All other	*ad val.*	15%			
502	Saddles, bridles and harness... ...	,,	40%			
503	Trunks, portmanteaux, satchels, knapsacks and travelling or courier bags	,,	40%			
504	Leather manufactures, not otherwise provided for	,,	40%			
505	Picture frames and mouldings ...	,,	50%			
506	Wood manufactures, not otherwise provided for	,,	40%			
507	Cane and rattan manufactures, not otherwise provided for	,,	40%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
508	Lamps, lanterns, and parts thereof:					
	1. Incandescent electric lamps:					
	A. Not exceeding 32 candle power	100 pcs.	5.80			
	B. Others	,,	10.20			
	2. Asbestos mantles	,,	5.10			
	3. All other	*ad val.*	30%			
509	Walking sticks, whips and umbrella or parasol sticks:					
	1. With fittings, of gold or silver and gilt or silvered	,,	50%			
	2. All other	,,	40%			
510	Umbrellas and parasols:					
	1. Of silk, wholly or partly ...	,,	50%			
	2. All other	,,	40%			
511	Handles of umbrellas, parasols, sticks or whips:					
	1. Of gold or silver and gilt or silvered	,,	50%			
	2. All other	,,	40%			
	N.B.—*V. the convention to No.* 311.					
512	Photographic films:					
	1. Undeveloped...	,,	40%			
	2. Developed	,,	40%			
513	Artificial flowers	,,	50%			
514	Statues, human and animal (excluding those of gold)	,,	50%			
515	Ivory manufactures, not otherwise provided for	,,	50%			
516	Tortoise-shell manufactures, not otherwise provided for	,,	50%			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
517	Coral manufactures, not otherwise provided for	*ad val.*	50%			
518	Imitation precious stones and pearls	,,	50%			
519	Toilet or dressing cases...	,,	50%			
520	Toilet or perfumed waters and oils, dentifrices and all other cosmetics and perfumery	,,	60%			
	Convention :—					
	Perfumery :—					
	1. *Liquid perfumery : essences or extract of scents, oils, vinegars, waters and alcohols of toilet or scent, and other liquids of the same kinds*			per catty	0.092	F.
	2. *Dry perfumery : salts, powders cosmeties, pomeds, pastes, and other non-liquid prepartions of perfumeries for toilet* ...			*ad val.*	10%	,,
	Note.—*Musk, natural and artificial civet and ambregris are excluded from the perfumery.*					
521	Soaps :					
	1. Toilet	100 *kin*	24.70	per catty	0.070	,,
	2. Washing :					
	A. Marseille soap...	,,	3.92	100 catties	0.972	,,
	B. Others	,,	3.54	,,	0.972	,,
	3. All other	*ad val.*	30%			
522	Articles for billiards, tennis, cricket, chess and other games and accessories thereof.	,,	50%			
523	Articles for gymnastics	,,	30%			
524	Toys...	,,	50%			
	N.B.—*V. the convention to No.* 486.	...				
525	Tobacco, prepared or manufactured	,,	250%			
526	Joss sticks	100 *kin* including inner packings	4.14			

No.	ARTICLES.	General Tariff.		Conventional Tariff.		
		Unit.	Rates of Duty.	Unit.	Rates of Duty.	Contracting States.
			yen		*yen*	
527	Matches	*ad val.*	40%			
528	Fire works	100 *kin*	6.41			
529	Explosives:					
	1. Gunpowder (excluding smokeless gunpowder)	,,	6.30			
	2. Dynamite	,,	5.90	catty	0.056	G.
	3. Detonators	100 *kin* including inner packings	30.30			
	4. Fuses	100 *kin*	22.80			
	5. All other	*ad val.*	25%			
530	Cartridges and projectiles for fire-arms	,,	40%			
531	Sporting guns...	,,	40%			
532	Muskets, revolvers, cannon, bayonets, side-arms and other arms	,,	40%			
533	Models		free			
534	Sign boards		,,			
535	Manures (bran, oil cake, dried fish unfit for food, bone dust, dried blood, bone ash, guano, superphosphate of lime, &c.)		,,			
536	All other articles, raw, crude or unmanufactured	,,	10%			
537	All other articles, partly manufactured	,,	20%			
538	All other articles, wholly manufactured:					
	1. Coarse	,,	30%			
	2. Fine	,,	40%			

ERRATA.

Page 72, vingt-quatrième ligne, après *Traité* ajoutez *signé.*

Page 102, 2ème colonne, sixième ligne, lire *exercise of their functions* au lieu de *exeucise of their frnctions.*

Page 257, avant dernière ligne, lire *me chargent* au lieu de *me charge.*

Page 554, troisième ligne, lire (*749*) au lieu de (*479*).

Page 598, septième ligne, lire *le détroit de La Pérouse* au lieu de *le détroit et La Pérouse.*

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